RAWLEIGH Redivivus

OR, THE

Life & Death

OF THE

Right Honourable

ANTHONY

Late EARL of

SHAFTSBURY

HUMBLY

Dedicated to the Protesting Lords

By *Philanax Misopappas.*

Virtuti Pompeii quæ potest par Oratio inveniri? Cicero.

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TO THE

Most Illustrious and High-born Prince

James D. of *Monmouth*,

And to the Right Honourable

Anthony Earl of *Kent*, *Theophilus* Earl of *Huntington*, *William* Earl of *Bedford*, *James* Earl of *Salisbury*, *Gilbert* Earl of *Clare*, *Thomas* Earl of *Stamford*, *Robert* Earl of *Sunderland*, *Arthur* Earl of *Essex*, *Charles* Earl of *Macklesfield*, *Charles* Viscount *Mordant*, *Philip* Lord *Wharton*, *William* Lord *Pagett*, *Ford* Lord *Grey* of *Wark*, *John* Lord *Lovelace*, *Henry* Lord *Herbert* of *Cherbury*, *Charles* Lord *Cornwallis*, *Thomas* Lord *Crew*;

Who enter'd their Protestation against the Lords rejecting the Impeachment of *Edward Fitz-Harris*, and generously asserted the Commons Right to Impeach any Subject whatsoever.

GREAT SIRS,

THe following Tract, humbly offered to your Lordships, and

for which the Author implores your Patronage, is a brief, but yet true and impartial History of the Life and Policies, the Rise and Fortunes, Troubles and Exit of the late Earl of Shaftsbury, *whose great Actions, constant Loyalty, and successful Councils, certainly are worthy the transmitting to Posterity; for whose sake, as well as the vindicating his Name and Honour from the bold and confident, although ridiculous and groundless Calumnies wherewith the* Roman Achitophels *have maliciously aspersed him. I have endeavour'd to Decipher him, and draw his Image according to the best of my skill, although infinitely below his Deserts; which justly merit the being pourtray'd by a more skilful hand; and one whose extraordinary acquirements, and admirable proficiency in Politicks, renders capable of representing his Lordships wonderful Parts and Abilities*

lities, in the most apt and lively Touches. Especially in regard the Malice of his Adversaries hath somewhat defaced his best Feature, and ungratefully sullied the most Beautiful and Loyalest of his Actions.

My Lords, *It was the extraordinary Endowments wherewith this Earl was inrich'd, that drew upon him so much Envy, and swell'd his Adversaries to such an heighth of Malice and Fury; fearing lest he might prove their Rival, and acquire a greater Interest in the Favour of his Soveraign, than they were willing he should. Or else it was his imitation of the magnanimous* Roman, *who being commanded by the Emperour to forbear coming to the Senate, and threatned with Imprisonment if he presumed to appear in that Assembly, boldly answer'd,* You may do as you will, but I must do as I ought. *Nor had*

ever any Man larger Experience (than his Lordſhip) of the truth and reality of what the famous Sir Walter Rawleigh *ſo long ſince wiſely obſerved*, That he who follows Truth too near at the heels, may have his Teeth ſtruck out thereby; and that he who goes after her, oft loſeth her ſight and himſelf too.

Moſt noble Patriots, *I acknowledge that it is no ſmall perſecution of your Illuſtrious Greatneſs, to be thus troubled with the impertinent Addreſs of one ſo much below you: And am very ſenſible, that the Generoſity and good Nature of perſons, who, like your ſelves, ſhine with Glory and Splendour in a ſuperiour Orb, frequently draw upon them unneceſſary and needleſs Dedications. And therefore I ſhould not have been guilty of preſuming to fix your Honourable Names to any trifle of mine, had not the nature of the thing laid a kind of neceſſity upon me, and furniſhed*

nished me with an unanswerable Argument and sufficient Apology for so doing.

May it please your Lordships, *You are all under the same Circumstances, and you have (like him) adventur'd to stem the Stream, and dared to be Virtuous, when to be Wicked and Debauch'd is in Fashion: And have presumed to be Loyal, under the disadvantage of exposing your selves thereby to the Malice and Rage of a sort of Men, who with an Hellish Industry have long endeavour'd to Metamorphise your very Virtues into Vices, and Transubstantiate your Loyalty into a Crime. You have with a firm resolution and undaunted courage, opposed in the very face of Danger, the ambitious and growing designs of a bloudy and malicious Crew, who have* Burned our City, Assassinated our Magistrates, Forged Sham-plots, and invented Meal-Tub Conspiracies to

ruine our Nobility and Gentry. And if Divine Goodness had not protected us, and disappointed them, would have Murther'd our Soveraign, Massacred our Persons, Extirpated our Religion, Plunder'd our Houses, Seized our Estates, trampled upon our Laws, Inslaved our Wives and Children, and Subjected our Posterity to a Bondage infinitely worse than that of *Egypt*. *And whatsoever is Sacred and Dear to us as English-men or Christians, must have been sacrific'd to their Revenge; for the satiating whereof, and to give vent to their Fury, they would have turn'd the Paradise of the World into an* Acheldama.

And moreover, my Lords, *his Enemies are your Enemies, his Reproaches are all directed at and centre in You. You were all to be involved in the same Guilt, and made Parties in the same pretended Conspiracy. And You were by an imaginary*

ginary Power (derived from that Infallible Fop the Pope) all condemned to the same Fate, in the secret Consults and private Cabals of Rome, *as appears by the Scheme found in the Meal-Tub, and afterwards more fully discovered by* Mr. Dangerfield. *Nor is it unworthy Your consideration, that the time when that cursed Conspiracy was hatching, and some Circumstances in the management thereof, renders it not altogether improbable, that it derived its Original from, and was ingaged in, upon the success of a certain Story; upon the account whereof, the greatest of You stands at this day strip'd of all Your Honorary Places.*

But that which further encourag'd me to make this Address to Your Lordships, *was, Your being his intimate Acquaintance and constant Companions, his familiar Friends, and onely Associate, with whom he*

maintained an exact Correspondence, and almost dayly conversed withal; whereby You must necessarily be better acquainted with, and have a clearer prospect of the Principles and Temper, Designs and Inclinations of his Lordship, than any of his Detractors can possibly pretend to: since many of them never had any personal knowledge of, and much less intimate acquaintance with him; and most of them never saw him in their lives. Nor have many of his Accusers, notwithstanding their formal and confident charging him with Treason, ever born a Part, *or made a* Figure large enough in the World to procure them admittance to his Person, or imbolden them to appear in his presence, or so much as exchange two words with him in their whole lives. *You know his Loyal Behaviour towards, and constant cleaving to the Interest of his Sovereign;*

raign; and are surviving Testimonies of the extraordinary Reverence and profound Veneration wherewith he always made mention of His Majesty, whensoever you had occasion to speak of him in Your publick or private Discourses; nor can You have forgotten his frequent lamenting his own unhappiness, in being so strangely mis-represented to his Majesty.

And, may it please Your Lordships, *as Heaven has been so propitious to the Earl to remove him far above the reach of his Enemies Fury, so I am firmly assured, that the same Almighty Power will always protect your Lives and Honours from the dire effects of* Romish *Policy, and all the Jesuitical Crafts and subtle Artifices of the Antichristian Crew. And render the implacable malice of those, whom all intelligent Men begin now to see are Your Enemies without cause, unable*

to

to effect any thing to Your prejudice. And make it serve onely as a File to set off the Glory of Your Loyalty, or like an Eclipse to the Sun, make the Lustre of your Innocence appear to the whole World with the more Brightness and Splendour; or at least, enable You to take an extraordinary pleasure and satisfaction in the delightful contemplation, That Your Names shall live when theirs are dead, and survive with Honour, whilst theirs with Infamy and Shame shall be buried in Oblivion; and that the remembrance of Your Virtues shall be to all succeeding Ages, as Odoriferous as the Aromatick *Spices, and the exhilerating Perfumes of* Arabia, *or the delightful fragrancy which naturally flows in the Months of* April *and* May *from a Garden of Roses: When the remembrance of their wicked and treacherous Enterprizes shall be nauseous and offensive to all Men.*

But

But the Fabrick being so small, I must not suffer the entrance into it to exceed an equal proportion; nor by enlarging my dull Praises of the deceased Earl, injuriously detain Your Lordships *too long from the Harmony of his Actions; the Reviewing whereof afford abundantly more delight and satisfaction than any thing I am able to say in his commendation can probably yield. And therefore (wishing* Your Lordships *may long shine as Stars in our* British *Hemisphere, and in conjunction with our glorious Sun, send forth such Illustrious Beams and powerful Rays, as may effectually dispel those sable Clouds which have so long over-spread and darkened our Island) I commend* Your Lordships *to the protection of him that sits in the Heavens, and laughs at the* Machivilian *Plots of* Rome, *and sees and derides all their subtile Enterprizes; hoping he will graciously*

defend

defend You from all impending Dangers, by hiding You in the hollow of his Hand, and under the shadow of his Wing. And humbly beg You would put a candid Construction upon my presuming so rudely to obtrude a Dedication upon you; and entreat a favourable Acceptance of the mean and incongruous Present of him who is really ambitious to subscribe himself,

Your Lordships,

Most humble, most obedient,
and
most devoted Servant,

S. N.

RAWLEIGH Redivivus:

OR, THE STATE-Politician

BEING

An Historical Account of the Life and Death of that Wise and Loyal States-man, *ANTHONY* Earl of *Shaftsbury*.

PART I.

STate-Policy is a kind of Heavenly Knowledge, which is by God and Nature locked up as a sacred Jewel in a few very rare Cabinets, purposely framed and designed for that use by the all-wise God, and is so essential to the peace and flourishing condition of a Nation, that we ought to

to pay it all the reverence and veneration imaginable, and account it too ſacred to be expoſed and proſtituted to the view of baſe and vulgar eyes.

But as the beſt things converted into putrefaction, are the moſt nauſeous and hurtful, ſo this Noble and Angelical Science hath been ſtrangely abuſed by ſome ſordid Pretenders to it. And every Age hath produced ſome *Achitophels*, who have abuſed the divine Treaſure beſtowed upon them by the great *Jehovah*, for the Service of their Country, and the promoting the Civil and Sacred Intereſt of the Commonwealth wherein they live, by making it onely ſubſervient to their baſe and wicked ends. Theſe are a ſort of men that have indeed the Wiſdom of the Serpent, (but not a Dove-like innocency) and can, like him, clothe all their curſed Deſigns and helliſh Machinations, whereby they intend the ruine of their Prince, the Religion they pretend to own and practice, together with the famous and flouriſhing Kingdom wherein they live (unhappy in nothing ſo much as the producing ſuch unnatural and ungrateful Animals) with ſubtil and ſpecious pretences of Loyalty, Prerogative, Decency, and Order, and what not; ac-

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counting Heaven and future Bliss a meer bubble, and the checks of Conscience too inconsiderable a trifle to impede, sacrificing all that is Sacred to Ambition, and aspire to Wealth and Grandeur by others ruine and destruction; since if the Great *Alexander*, the Conquering Pomp, or the Victorious *Cæsar*, had boggled at invading other mens *Rights*, they could never have obtain'd so much Renown and Glory, Nor had their Names swelled or looked so big in the Rolls of Fame. Whilst the honest Politician is the *Atlas* of the falling State, cures her when sick, cements it when dis-joynted, meets her in her several Emergencies with suitable reliefs: And like a skilful Pilate, manages the Helm with such skill and dexterity, that he carries her safely through all perplexing intricasies, and secures her in the Harbour of Peace and Tranquility, where she rides free from the danger of those boisterous Storms that threatned her Ruine.

Such an one was *Philip de Comines* to *Lewis* 11. and *Cromwel* to *Henry* 8. Such was *Burleigh* to our late Protestant Queen, whose sedate Councils, like a sacred Oracle, very much influenced the prosperity of her Raign; which was so extraordinary

nary, that no History affords a parallel: and future Ages will read her happy Annals with a Divine Wonder. And such an one was our parallel, the ingenious Sir *Walter Rawleigh* to King *James*; for whom he did several eminent pieces of Service, as well in order to the bringing him to, and placing him upon the English Throne, as afterwards. Notwithstanding which, he was so unhappy as to lose the Favour of his Prince, and be abandoned, to the *rage and malice of his Enemies*.

And such an one was the unparallel'd *Shaftsbury*, whose Policy was always founded upon the solid Basis of Piety and Judgment; upon which firm Foundation he endeavour'd to raise the admirable superstructure of Royal Government in the Prince, free from all manner of Arbitrary severity, and a willing subjection in the People, without any kind of force or compunction; so uniting the Interest of the Governour with that of the governed, and knitting both with such reciprocal mixtures, that the welfare of the one might be unavoidably involv'd in the good of the other; that Majesty might be maintained in its just Splendour, and the Royal Prerogatives of the Crown preserved from suffering

ing any kind of diminution: And yet the Liberty of the Subject remain, and Property be no way infringed or violated.

In a word, his Wisdom in contriving the peaceable Restauration of his Majesty to his Crown and Kingdom, his Sagacity in Counselling whilst in that capacity, his Faithfulness in the discharge of places of Trust, his exact Administration of Justice to his Fellow-Subjects, his Loyalty and Obedience to his Majesty at all times, his invincible Patience under the Calumnies wherewith he was unjustly loaded. His Charity, Affibility, &c. when it shall be conveyed by History to the knowledge of the following Ages, it will procure him such a just and deserved Esteem, that they will be ready to adore him, and wonder at our stupidity; and make them with a disdaining abhorrence reflect upon our Folly, in slighting such an inestimable Treasure.

This Great and Illustrious Peer was Nobly descended from the two Ancient Families of the *Coopers* and *Ashleys*, being Son and Heir to Sir *John Cooper* of *Rockburn* in the County of *Wilts*, by *Ann* his Wife, Daughter and sole Heir to Sir *Anthony Ashley* of *Wimbourn St. Giles* in the

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County of *Dorſet*, Knight and Baronet. For which reaſon, he was call'd *Anthony Aſhley Cooper*, thereby to bear up the name of his Mothers Family as well as his Fathers; which would otherwiſe have been extinct. He was born in the Month of *July*, *Anno Dom.* 1621, being the 19th year of the Reign of King *James*.

At his Baptiſm his Mother deſired Sir *Anthony Aſhly* to ſtand for Godfather; which he willingly conſented to; and having no more Children but that Daughter, named him *Anthony Aſhley* for the aforeſaid reaſon.

Great care was taken in the Education of this young branch of Honour, who was to enjoy the Fountains, and maintain the Honour and Name of two ſuch Rich and Illuſtrious Families; his Father being worth about Eight Thouſand Pounds *Per Annum*. So that he was not raiſed from a mean Fortune, as ſome of his Adverſaries would maliciouſly perſwade the World, but born to a large one. In his very Childhood his Activity, quick Apprehenſion, and ready Wit, made an early diſcovery, even at that tender Age, of thoſe extraordinary parts wherewith God and nature had ſo liberally enriched his capacious

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Soul. He had a natural inclination to Learning; wherein he made such a surprizing Progress, that it was the wonder and amazement of all that knew him; and to encourage and improve those pregnant Parts wherewith this happy Youth was blest, he was sent to the University of *Oxford*, and placed in *Trinity-Colledge*, under the care of an Ingenuous and Learned Tutour; where neglecting all things that served only for idle and vain speculations, and denying himself that Liberty which other Youths allowed themselves for Recreation, he fell to those Studies that were more useful and necessary, and tended to fit and prepare him for the serving his King and Country in any imployment or capacity whatsoever; which he followed so hard, and made such an unusual progress therein, that it is almost incredible; so that every one admired him: and he was by all men accounted the most prodigious Youth in the whole University. And those who knew him, began to believe, that what had been predicted of him by a *German* Gentleman might in time prove true.

This Gentleman being a Protestant, and Persecuted upon that account, left

Ger-

Germany, and fled to *England* for Succour; and falling by accident into the company of Sir *John Cooper*: Sir *John* being an Hospitable Gentleman, especially to those that were sufferers upon the account of the True Religion, gave him an Invitation to his House; which the Gentleman accepting, went accordingly: and was entertain'd by Sir *John* with abundance of Respect and Generosity for a considerable time. The Gentleman was extreamly pleased with this Entertainment in general; but was more especially delighted with that pleasant and unexpected Diversion which the extraordinary Parts of his young Son afforded him. And would frequently (after having entertained him with various, difficult and intricate Discourses, which required the most mature and profoundest Judgment to determine wherein he always found him so ready and expert, that it exceeds all belief) say to Sir *John*, *I can do no less than contemplate your Felicity in this Son, and almost envy you the happiness. He is certainly the Phœnix of his Age. I find him endow'd with such a deep Judgment and capacious Understanding, that I am confident, if he live to years of Maturity, he will be the profoundest*

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Politician, and the most accomplished Statesman that ever this Nation did produce. But more especially once directing himself to the young Gentleman, he spake to the effect following, as if guided thereto by some strange and unaccountable impulse; and if we compare it with the circumstances of this Lords Life, it will appear to be propheticke.

Child, said he, (as it was his custom to call him) *if thou wilt be Religious, and keep close to God, and take care to avoid the vain and distractive allurements of Prophaneness and Debauchery, and entertain a fixed resolution to improve all thy Parts and Abilities for the advancing the Protestant (and the prejudice of the* Romish) *Religion, you shall be a Man of the largest Parts in Christendom, and shall be an Instrument of doing and extraordinary piece of Service to your Prince, which shall be very acceptable to him; whereupon you shall stand high in his Favour, and be promoted to very great Honour: yet should afterwards lose the Princes Favour, and be as much dis-respected as before Honoured and Admired; yet at the same time you shall be one of the most Popular Men under Heaven, &c. And that you may know that this will fall out according to my Prediction, pray remember*

this

this that I am now going to tell you, and Write it down in your Pocket-book, that you may not forget it. Not long after your coming from the Universſity, you ſhall be in extream danger of Drowning; telling him the very day when it ſhould happen.

Whereupon, although he gave no extraordinary credit to theſe Predictions, yet having a great Love and Veneration for the Gentleman, upon the account of his Piety and Wiſdom, he endeavoured to the uttermoſt of his power, as much as poſſible, to avoid the Watery Eliment.

When he had ſpent ſome years at the Univerſity, he was removed from *Trinity-Colledge* to *Grays-Inn*; where, with the like pains and induſtry, he applyed himſelf to the Study of the Law: in the knowledge whereof, he arrived at ſuch Perfection, that ſeveral Judicious Men and great Lawyers did affirm, That he underſtood the nature of our *Britanick* Laws and Ancient Cuſtoms and Conſtitutions of the Kingdom, as well (if not better) than any Man living; and could expreſs himſelf with ſo much Eloquence, and deliver his Sentiments of things with ſo much clearneſs and ſmoothneſs, interwoven with ſuch convincing Arguments, deduced from

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Philosophy and Reason, that there was a perfect harmony in his words.

Whilst he was at *Grays-Inne*, he appointed to go with several young Gentlemen of his Acquaintance to *Greenwich* by water: but when he was upon the Stairs going to take Boat, (some of his company being already in the Boat) it came suddenly into his mind, that that was the day whereof the Gentleman had foretold him; and pausing a little, he remembred several circumstances that confirm'd him therein: the Gentlemen who were in the Boat seeing him to stand in a study, and make no haste into the Boat, they called to him to come away. *Gentlemen*, said he, *I intreat you to excuse my going with you; for I now call to mind some extraordinary business, which obliges me to stay in Town.* But his company was too pleasant to be so easily relinquish'd: wherefore one of them stepping out of the Boat, endeavoured by his importunity to alter his resolution, and perswade him to go with them according to his first intention; but being not able to prevail, he protested he would carry him into the Boat if he would not go willingly: so that being unwilling to disoblige them, he adventur'd to go, although with much reluctancy.

Chancy. As they were shooting the Bridge, it being low water, the force of the Ebb carried their Boat with such violence against a Lyter that was just gone through before them, that she sunk; but several Boats presently making towards them, they were all sav'd: However, their design for Bowling at *Greenwich* was spoiled for that day.

Having spent some considerable time in the Inns of Court, his Relations began to think of disposing of him in Marriage; and a suitable Match was enquired after, that might answer the largeness of his Fortune. At length a Marriage is agreed (by the consent of both Families) between him and *Margaret*, Daughter to *Thomas* Lord *Coventry*, sometime Lord Keeper of the Great Seal of *England*: whose agreeable Conversation render'd his Life the more pleasant and delightful. He had no Issue by this Wife.

His second Wife was the Lady *Frances*, Daughter to the Earl of *Exeter*; by whom he had Issue his onely Son and Heir, *Anthony* Lord *Ashly*, now Earl of *Shaftsbury*; who married the virtuous and ingenious Lady, the Lady *Dorothy*, Daughter to *John* Earl of *Rutland*; by whom he hath Issue

two

two Sons; *Anthony* a Youth of about twelve years of age, extreamly like his Grandfather, both for Person and Parts, for which reason he was so dear to him, that his Life seemed to be bound up in this Grandsons, as *Jacob's* was said to be in his Son *Benjamin's*; and *John*.

His last Wife was *Margaret*, Daughter to *William* Lord *Spencer*, a most accomplished and virtuous Lady; whose exemplary Piety is so extraordinary, that she may very well be proposed as a pattern for other Noble Personages to imitate; her constant custom being to rise by five of the clock in the Morning, when retiring she usually spends two or three hours there in her private Devotions.

No sooner did the Fame of his great Abilities reach the Royal Ear, but his late Majesty cast a favourable Eye upon him, employing him in several eminent Services, which he performed with an exact Loyalty, to the satisfaction of his Majesty; from whose Interest he never departed, otherwise than as *Hushai* from King *David*, when the Tribes of *Israel* revolted from him, in order to the using his Interest for the Service of his Prince, and endeavour by his Wisdom and Counsel so to order

and influence the Councils and Designs of the Conspirators, that they might be the less hurtful to his Soveraign, and tend to the overthrow of themselves. And it is admirable to contemplate with what dexterous Skill and exquisite Policy he so managed all their Councils, as to make them run directly towards, and naturally tend to swell the Royal Stream; which immediately upon their Ebb, flowed so suddenly and swiftly, that like a swelling Sea, it easily overflowed all those Banks which were cast up to impede its Flux, and by its irresistible force bore down all before it, until at last it terminated in the full Tide of his Majesties Restoration. Like the generous *Husthai*, never resting until he saw his Ejected Soveraign, like the glorious Sun, newly escaped from a total Eclipse, return to the possession of his Crown and Kingdom.

His Majesty having (*December* 5. 1639.) upon the advice of the Earl of *Strafford*, and Marquess of *Hamilton*, and Dr. *Laud* Archbishop of *Canterbury*, declared his resolution for the calling a Parliament, after eleven years interval; he was (by the unanimous consent of the Inhabitants of the Borough of *Tewkesbury* in *Glocester-*

shire) chosen to serve as Burgess for that Town; Sir *Edward Alford* being chosen for the other. On *Monday, April* 13. 1640. this Parliament opened, and were acquainted by his Majesty, That he thought never any King had greater cause to call his People together, nor more weighty Affairs to confer with them about, than himself; the particulars whereof he referred to the Lord Keeper, by whom they were recommended to the Parliament in an elegant Speech. The Parliament sate in debate of those things recommended to them till the fifth of *May*, when his Majesty concluding they were too slow in giving those Supplies he demanded, dissolved them, publishing a Declaration thereupon, containing an account of his Reasons for that Dissolution. This was the fourth Parliament which had been dissolved by his Majesty.

In the beginning of our unhappy Troubles he raised a Regiment for the Service of his Majesty; and was by him (upon the Rupture with the Parliament) made Governour of *Weymouth*; being at the same time High Sheriff of the County of *Dorset*: And when he saw that the War would unavoidably break out, he sum-

moned (by virtue of his *Posse Comitatus*) the whole Country from sixteen years old to meet at *Dorchester*, which is the County-Town, thereby to engage them to stand by his Majesty: But before the day appointed for their meeting, his Majesty sent down Colonel *William Ashburnham* with a Commission to be Governour of the County of *Dorset*: whereupon he repaired presently to *Dorchester*, and shewed his Commission to the High Sheriff. At which time the Sheriff acquaints the Colonel with what he had done in reference to his Majesties Interest, by summoning the County: wherewith the Colonel was very well pleased. But Sir *Anthony* concluding that the Colonel's being sent to command as Governour of the County, notwithstanding his being Governour of *Weymouth*, and High Sheriff of *Dorsetshire*, proceeded from some secret suspition which his Majesty had conceiv'd of his Fidelity, (perhaps occasioned by the malicious Whisperings of some about the King, who grew jealous of him, lest the greatness of his Parts should in time have raised him higher in his Majesties Favour and good Opinion, than would have consisted with their Interest) took Horse the next morning, and went

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to his own House, about twenty miles from thence; the next day he went to his Brothers, and from thence to *London*.

The day being come for the Counties Meeting, they flocked in vast numbers to *Dorchester*; there being scarce a man in the whole County wanting: whereupon the Colonel (being informed that the High Sheriff was not in Town) went up to the *Guild-hall*, being accompanied with several of the chief of the Town, and told the People, That he was glad to see so great an appearance, and that they yielded so ready Obedience to the Summons of their Sheriff, who was at that time absent; telling them, that the occasion of summoning of them, was to engage them to his Majesties Interest: asking them, If those unhappy differences that were arisen between the King and his Parliament could not be composed, but should break out into a War, who they would stand by, his Majesty or the Parliament? Whereupon they all cried out with one consent, *By the King; We will stand by the King against all Opposers whatsoever.* *Gentlemen*, said the Colonel, *I thank you for this Declaration which you have now made of your Loyal Intentions; I hope your Hearts have gone with*

your Words therein, and that you will make good your Promises when his Majesties Occasions shall require it. Whereupon they were dismist and sent home.

In *October* 1645. he was chosen Sheriff of *Norfolk*; which Choice was *November* the first approved of and confirmed by the Parliament. And the next year, 1646. he was chosen Sheriff of the County of *Wilts*; discharging the Offices both years with abundance of Candour and Generosity. And in the year 1651. the Parliament out of a deep sense of his profound Wisdom, appointed him, *Jan.* 20. with twenty persons more, to sit as a Committee, to consider of the Inconveniencies which were in the Law, and the Mischiefs which frequently arise from the Delays, and other Irregularities in the Administration thereof; and ordered them to report their Opinion therein to the House.

Not long after this, the Scene of Affairs alter'd, and *Cromwel*'s ambitious designes for Usurping the Supreme Power being now ripe, he resolved to put them into execution; and as the first Essay, took upon him to dissolve that remnant of a Parliament. To which purpose, on the 20th of *April* 1653. he entred the House, attended by

by some of his principal Officers, and delivered several Reasons why they ought to be dissolved, and a period put to their sitting; which was immediately done. The Speaker, with all the rest of the Members, some through fear, and others by force, presently departed the House, all the Nation rejoycing thereat; and scarce any man grieved for their Dissolution but themselves; every one affirmed, That although probably the Nation could not be much better'd by this change, yet worse could not possibly befal it. However, *Cromwel* did not think it time as yet to take the Government absolutely into his own hands; wherefore he summoned another Convention somewhat like the former, to which he gave the name of a Parliament.

Whereupon Sir *Anthony* being looked upon by his Country-men, as the fittest person to oppose and baffle any extravagant motions or designes that should be proposed to, or carried on by them, was returned to serve therein for his Native County of *Wilts*.

This Convention had several strange things under debate, that would have been very dangerous and prejudicial to the Nation; and he acted the part of a wise Po-

litician, and a true English man, in rendring their Debates ineffectual and to no purpose, as well by his ingenious Arguments drawn from Scripture and Reason, as the Interest he had in the Gentlemen of the Country; whereby he engaged them to appear also against the Designes which were then carrying on. Whereat the contrary Faction being strangely exasperated, stormed exceedingly, and pushed forward their Designes with the greater fury. Whereupon, the rest (although the Majority) fearing to be undermin'd by their laying hold of an opportunity to assemble themselves in their absence, (any Forty being a *Quorum*) and thereby accomplish their Designes, resolved to dissolve themselves; which they did accordingly, and so by that means quash'd those mischievous Designes upon which they were brooding.

However, *Cromwel* resolved, that whoever lost, he would be no loser by this Dissolution; wherefore he (by a strange way of Reasoning) pretended, that by this means the whole Supreme Power and Authority of the three Nations, (both Civil and Military) was of course devolved into his hands; and thereupon called a Council of Officers to consult about setling the Govern-

Government: who after several Debates, resolved to have a Commonwealth in a single Person; which Person should be *Oliver Cromwel*, by the name of Lord Protector, &c.

Whereupon *Cromwel* calls a Parliament, which met *Sept.* 3. 1654. whereof Sir *A.* was chosen a Member, the Country supposing him to be the fittest man they could chuse to obviate and undermine *Cromwel's* Tyrannical Designes. *Cromwel* makes a politick smooth Speech to them, endeavouring to perswade them to embrace his Interest; promising (for their encouragement) to do strange things for the good of the Nation, if they would but afford him their Assistance in order thereunto. But although some of the Members were men for his turn, and were resolved to serve him in his ambitious Designes to the uttermost of their power, although themselves and their Posterity suffered for it, yet Sir *Arth.* and abundance of others were too wise to be imposed upon, and too courageous to be hector'd into a compliance. So that being the majority, they overnumber'd those who were for complying with the Usurpers Interest, and render'd his hopes in that Parliament vain and ineffectual.

effectual. Whereat the Tyrant, being inraged to see his expectations so frustrated, dissolved them; lest if he had suffered them to sit any longer, they might have overthrown his new-acquired Usurpations.

But the Protector being extreamly necessitated for Money, and having a longing desire to have his Power confirm'd to him by the consent of the People, hoping that a second Representative would grant him that which the first refused, issues out his Writs for the Election of another Parliament. Yet remembring the Speeches and Carriage of Sir *Anthony*, and some other Members of the late Parliament, he gave secret directions to the Sheriffs of the several Counties, to use their utmost endeavour to prevent (if possible) their being chosen, or returned to serve in that Parliament. However, the Countries striving to please themselves rather than the Protector, and preferring their own Interest before *Cromwel's*, returned Sir *Anthony*, and most of the other Members that opposed the Protectors Designes in the late Parliament, to serve in this: whereby this Stratagem failed of producing its desired effects; which forced him to take new measures, and invent the following shifts, *viz.*

That

That every Member, before he was to sit in the House, was imposed upon solemnly to engage himself by promise, not to act any thing prejudicial to the present Government. But fearing lest this device should not keep out enough to make the Parliament pliable and fit for his purpose, he gave special directions not to admit of any into the House, but those onely that produced a Certificate or Warrant in the following form.

Com' Bucks.

These are to certifie, that W. E. *&c. is returned to serve in this present Parliament for the said County, and approved of by his Highness's Council.*

Sept. 17. 1656.

Nath. Taylor, Clerk of the Commonwealth in Chancery.

Sept. 17. 1656. being the day appointed for the meeting of this Parliament, he went to the Parliament-house at *Westmin-*

ster,

suspecting so fit there as a Member of that Parliament; but found Entrance not only denied to himself, but to above an hundred more, who had been Members of the former Parliament, and had render'd themselves obnoxious to the Usurper, by Opposing and Acting in contradiction to his designes of Establishing his Tyranny: they being all Excluded for want of the aforesaid Certificate or Warrant. Whereupon (after having consulted together) they applied themselves for Redress to that part of the Parliament which was admitted to sit: Acquainting them by way of complaint, that above an hundred of the Members which were chosen by the Country, and sent up to serve in the Parliament, were not able to obtain admittance into the House, being kept out by order of the Protector. But those within the House, being all of them *Cromwel*'s Creatures, upon the Questions being put, Resolved, That those persons ought to make their Application to the Council for Acceptance and Approbation.

Whereupon, finding that they could obtain no relief against those Arbitrary and Illegal Practices of the Usurper, they unanimously consented to draw up and publish

a Remonstrance, wherein they claimed the priviledge of the ancient Fundamental Laws, and their Birthright as Freemen of England. But the Remonstrance being much too large to be here inserted, I shall only present you with one or two Paragraphs, as a Specimen of those brave Honest Resolutions against a Protectorian Invasion, and the greatness of their Courage and brave English Gallantry, will be the more conspicuous, if we consider this was done when the then Protector was in his Zenith; when he had made almost all Europe tremble before him, and gave Laws to his Neighbouring Princes; and held that Thunder in his Fist, wherewith he shook the Nation off her very Foundations; and the House too filled with those who either were, or seemed to be his Creatures: Yet in a general defiance of this so Potent a Conquerour, did those Noble Patriots (amongst other things) remonstrate:

When our Worthy Ancestors have been met in Parliaments, and have found Oppression and Tyranny supported by such strong hands, that they could not prevail to secure their Countries, Lives, and Liberties by wholsome Laws, they have often

ten made their Protestations against Injustice and Oppression; and forewarned the People of their danger. In like manner we who have been duly chosen by the People to be Members of the Parliament that should now have met, and have an undoubted Right to meet, sit, and vote in Parliament, although we are Oppressed by force of Arms, and shut out of the usual place of Parliament sitting; yet having Hearts sensible of that highest Trust reposed in us, and being filled with Cares for the *Church* and Commonwealth, which with grief of heart we behold bleeding, we do hold our selves bound in duty to God and our Country, to declare unto the People of *England*, their and our woful condition, and the most evident danger of the utter Subversion of Religion, Liberty, Right, and Property.

We believe the Rumour is now gone through the Nation, that Armed Men, employed by the L. P. have prevented the free Meeting and Sitting of the intended Parliament, and have forcibly shut out of doors such Members as he and his Council supposed would not be frighted or flattered to betray their Country, and give up their Religion, Lives, and Estates to be at his

Will,

Will, to serve his lawless Ambition. But we fear that the Slavery, Rapines, Oppressions, Cruelties, Murthers, and Confusions that are comprehended in this horrid Fact, are not so sensibly discerned, or so much laid to heart as the case requires; and we doubt not, but as the common practice of the Man hath been, the Name of God, and Religion, and formal Fasts and Prayers will be made use of to colour over the blackness of the Fact: We do therefore in faithfulness to God and our Country, hereby remonstrate,

First, That whereas by the Fundamental Laws of this Nation, the People ought not to be bound by any Laws, but such as are freely consented unto by their chosen Deputies in Parliament; and it is a most wicked Usurpation, even against the very Laws of Nature, for any man to impose his *Will* or *Discretion* upon another as a Rule, unless there be some Compact or Agreement between the parties for that intent. And whereas by the Mercy of God onely, in preserving this Fundamental Law and Liberty, the good People of *England* have, beyond memory of any Record, preserved their Estates, Families, and Lives, which had otherwise been destroyed at the will of

every

every wicked Tyrant; and by keepi
this onely as their undoubted Right, th
have been kept from being brutish Sla
to the lusts of their Kings, who would
otherwise have dispoyled them of their P
sons, Lives, and Estates by their Proclam
tions, and the Orders of themselves a
their Council. Now the L. P. hath
force of Arms invaded this Fundamen
Right and Liberty, and violently preve
ted the meeting of the Peoples chosen D
puties in Parliament; and he and
Council boldly declare,

That none of the Peoples Deputies fo
meet in Parliament, unless they agree to
measure of their Pantofles, Humours, a
Lusts.

They now render the People such Foo
or Beasts, as know not who are fit to
trusted by them with their Lives, Estat
and Families: Bache and his Council, th
dayly devour their Estates and Liberti
will judge who are fit to counsel and advi
about Laws to preserve their Estates a
Liberties. Thus doth he now openly a
fume a power to pack an Assembly of h
Confidents, Parasites, and Confederates, a

call them a Parliament, that he may
om thence pretend that the *People* have
nsented to become his Slaves, and to
ve their Persons and Estates at his Di-
rection. And if the *People* shall tamely
mit to such a *Power*, who can doubt
t he may pack such a number as will o-
y all his Commands, and consent to his
aking what part of our Estates he plea-
eth, and to impose what Yoaks he thinks
to make us draw in?

They know it to be the undoubted
ight of the *People*, to trust whom they
ink fit, and as much the Right of every
an duly chosen and trusted, to meet and
ct in Parliament, without asking their
ave, or begging their Tickets. And al-
ough there have been frequent Secret
esignes for many years to subvert Relig-
n, Liberty, and Property in this Nation,
nd to that end the designes of Tyranny
ve attempted to destroy sometimes the
ing, sometimes the *Power*, *Priviledges*,
nd Freedom of Parliaments; yet the
ercy of God hath almost miraculously
eserved the Being, Priviledges, and Au-
ority of Parliaments, and therein Reli-
on, Liberty, and Property, until the time
the Lord Protector.

But

But now he hath assumed an Absolu
Arbitrary Soveraignty (as if he came dow
from the Throne of God) to create
himself and his Confederates such Powe
and Authorities as must not be under th
cognizance of the Peoples Parliament
His Proclamations he declares shall be bi
ding Laws to Parliaments themselves;
takes upon him to be above the whole Bo
dy, and every Member of it, by no othe
Rule or Law than his *Pleasure*, as if h
were their Absolute Lord, and had bough
all the People of *England* for his Slave
Doubtless he would pretend onely to hav
conquered *England* at his own Expence
and, were there as much Truth as there
Falshood in that pretence, yet he could no
but know that the Right of the People
Deputies to their antient Powers and Pr
viledges would remain good against him
as against their publick capital Enemy
Whom every man ought to destroy, unt
by some agreement with the Body of th
People in Parliament, some sort of govern
ing power in him were submitted unto
that hereby he might cease to be a public
Enemy and Destroyer, and become a Kin
or Governour, according to the Condit
ons accepted by the people; and if h
would

ould ſo pretend, he could not be ſo diſ-
arged from his publick Enmity by any
ndition or Agreement made with a
of the peoples choſen Deputies, whilſt
hut out the other part; for no part of
Repreſentatives Body are truſted to
conſent to any thing in the Nations be-
alf, if the whole have not their free Li-
erty of Debating and Voting in Matters
propounded.

If he would pretend no higher than to
our Conquerour, who for Peace and his
wn ſafeties ſake, was content to ceaſe
om being a publick Enemy, and to be
mitted a Governour, he would not com-
s thoſe ends by forcibly excluding (as
w he does) whom he pleaſes out of the
epreſentative Body of People, who were
ſubmit to him on the peoples behalf;
refore he either takes upon him to be
ch a Conqueror as ſcorns the peoples ac-
tance of him by their Repreſentative as
ir Governour, and fears not to remain
publick Enemy; or elſe he takes himſelf
be ſuch an unheard-of Soveraign, that
ainſt him the people have no claim of
perty or Right in themſelves, or any
ing elſe: for he hath now declared, that
peoples Choice cannot give any man a

Right

Right to sit in Parliament, but the Right must be derived from his gracious Will and Pleasure, with that of his Counsellors and his Clerks Ticket onely must be their evidence for it.

Thus hath he exalted himself to a Throne like unto God's, as if he were of himself, and his power from himself, and we were all made for him, to be commanded and disposed of by him, to work for him, and serve his Pleasure and ambition.

A little after, there is an Instance of Chief Justice *Trefilian*, who was executed at *Tyburn* in the time of *Richard* the Second, for advising the King, that he might at any time dissolve the Parliament, and command the Members to depart, under the penalty of Treason. Divers other Protestations were contained in that Instrument against the Arbitrarinesse and Tyranny of that proceeding; and in conclusion they declare they will pour out their complaints before the Lord against their powerful Oppressors, hoping he will redeem his People out of the hands of wicked and deceitful men. This Protestation was signed by one hundred and seventeen persons whereof Sir *Anthony Ashley Cooper* was chief; and many others of great Loyalty and

[illegible] Integrity, some whereof are since dead, [illegible] many yet survive; and as a reward [illegible] their Loyalty, enjoy Places of Honour [illegible] Profit under his present Majesty.

[illegible] this we may easily discern the Opi[illegible] he had of the Illegal and Arbitrary [illegible]ceedings of *Cromwell*, and how much of [illegible] sufferings of the Loyal Party would [illegible] been prevented, had that point of a [illegible] Parliament been then gained: and [illegible]sequently his Majesties Restauration [illegible] have happened sooner than it did. [illegible] Remonstrance had not power enough [illegible]ever to work their present admission [illegible] the House, so that that part of a Par[illegible]ent which was suffered to sit, did [illegible] thing to the desire of *Cromwell*, answer[illegible] both those ends for which they were [illegible]ned, *viz.* the raising Money, and con[illegible]ing his Title; which was no sooner [illegible], but he prorogued them until he had [illegible]sion to Fleece them again; which in[illegible] was laid hold on by this true *English* [illegible]leman, as a fit opportunity to engage [illegible], when they met again, to do them[illegible] and the Nation Justice, by admitting [illegible] and the rest of the Members that were [illegible] out by the Protector, to take their [illegible] in Parliament; and so managed

some

ſome of the Members, who were moderat
men, that they reſolved not to be ſo baſel
trampled on by the Tyrant any longer.

The Prorogation being expired, th
Parliament make their appearance at *Weſt*
minſter, where the Protector makes a fai
Speech to them, promiſing them ſtrang
things if they would go on and proſecut
his Deſignes. But notwithſtanding hi
Speech, the Commons were no ſooner re
tired to their Houſe, than *Cromwel* diſco
vered, to his no ſmall perplexity, that th
Face of his beloved Parliament, from whoſ
tractableneſs and compliance he had pro
miſed himſelf the greateſt happineſs ima
ginable, was ſtrangely altered: for the
preſently fell to Voting, That no Membe
legally Choſen and Returned, could b
excluded from performing their Duty, bu
by conſent of Parliament; and thereupo
immediately proceeded to the calling ove
their Houſe, and admitted Sir *Anthony* an
the reſt, who had ſubſcribed the Remon
ſtrance, (to the no good liking of the Pro
tector) who were no ſooner in, and th
Houſe full, but they ſo influenced the re
that they ſoon became the majority, an
began to undo what the others had don
in their abſence; and preſumed ſo far,

question the Tyrant's Power. Wherefore finding them so bold, he concluded it would not be convenient to let a business so high a nature run too far, lest it should, neglected, put a period to all his ambitious Designes. Wherefore going to his Pageant House of Lords, he sent for them, and after having made a large Speech to them, in the conclusion told them, That it did concern his Interest, as well as the publick Peace and Tranquillity of the Nation, to terminate that Parliament; and therefore he did then dissolve them, and put an end to their sitting.

The constant correspondence he always maintained with the Royal Party, and that almost to the hazard of his Life and Family, are sufficient Testimonies of his sincerity to his Masters Interest and Service; his House was a Sanctuary for distressed Royalists; and his correspondence with the Kings Friends (though closely managed, as the necessities of those times required) are not unknown to those that were the principal Managers of his Majesties Affairs at that time. This made *Cromwel* so apprehensive of this great Asserter of his Countries Rights, and Opposer of Arbitrary Government and Enthusiasm, that

though his vast Abilities were known (at least) to equal the ablest Pilot of the State, which was the onely motive that induced the Usurper, in the infancy of his Usurpation, to nominate him for one of his Council, in hope thereby to allure him to his Interest, and wheadle and Wire-draw him into a compliance with his ambitious and mischievous designes; yet we cannot find him amongst the Creatures of his Cabinet-Council, nor amongst the Eleven Major-Generals, to whom the Care of the Nation was committed: No, their Principles, their Aims and Designes were incompatible; one was for Subverting, the other for Maintaining the antient standing Fundamentals of the Nation; which once dissolved, it was impossible but an Universal Deluge of Confusion, Bloud, and Rapine must ensue. This made our brave Patriot (with divers of the Heroick English Race) to the utmost oppose the growth of a *Protectorian* Tyranny.

And when the Rump had again usurped the Power into their hands, they endeavoured to oblige him by nominating him to be one of their Council of State, and one of the Commissioners for the managing their Army. Notwithstanding which

which, he continued his Intelligence with, and Endeavours for the Reſtoration of his Soveraign. So that we find him accuſed before them for keeping Intelligence with the King, and for having raiſed Men to joyn with Sir *George Booth* in attempting to reſtore and bring his Majeſty that now is to his Rightful Throne. Many perſons of great note were impriſoned on the account of this Plot; and amongſt the reſt, Sir *Anthony Aſhley Cooper*, who was really guilty (if there could be any Guilt in Loyalty, and an honeſt endeavour to free his Country from thoſe deplorable Miſeries under which it then groaned) for indeed he was a principal Contriver of the Buſineſs, being one of the ſecret Cabal; and had always kept Intelligence with Sir *George*, and had raiſed a Party in *Dorſetſhire* to joyn with him, which, upon the miſcarrying of the Deſigne, timely diſperſed themſelves: And although no man knew better than he, how to obviate the Reaſons of the Houſe, and plead his own Cauſe, yet he was not without great difficulty cleared and diſcharged of that Impu-tation by the Rump; who ſhortly after truſted him with the cuſtody of the Tower of *London*, the command of a Re-

giment of Horſe; and gave him (with ſix others to aſſiſt him) the government and command of their Army.

So that now he began to advance the great work of Reſtoring his Majeſty, with more ſucceſs and ſpeed than before. To which end he (and eight more who had been of the Old Council of State) ſent a Letter to General *Monke*, to proceed in his generous Undertakings for the advantage and ſettlement of the three Nations; and perſwaded him to come to *London*, in order to the better proſecuting what he had ſo well begun. Whereupon the General (having diſpoſed and ordered all things according to his deſire) advanced towards *England*, accompanied with ſeveral Engliſh Gentlemen who held correſpondence with him; and being acquainted with the General's Deſigns, went thither on purpoſe to accompany him hither: where he was no ſooner arrived, but he was highly honoured and complemented by the Rump, and made one of the Council who was to order and diſpoſe of publick Affairs: but to qualifie them for this Truſt, they were to have an Oath impoſed upon them, wherein they were to abjure the Royal Family. But that being directly contrary

to the generous Designes of those two Noble Patriots of the Royal Cause, and bold Adventurers for the Interest of their injured Soveraign; the one by his Head to contrive, and the other by his Arms to execute what was contrived, as well as assist in Counselling and Advising; they opposed it as unreasonable, and a Snare to their Consciences; and by their influence upon Colonel *Morly*, procured it to be so warmly opposed, that both Oath and Counsel fell, and came to nothing.

Dr. *Clarges* having happily discovered that *Lambert* and others were making Parties, and drawing Forces together to oppose their Loyal Designes, repaired immediately to Sir *Anthony*, accounting him the fittest person to be acquainted with a Business of that nature (being not onely firm to the Kings Interest, but by his Wisdom and Policy knew how to undermine those who were averse to it) wherefore having related the particulars to him, desiring him to communicate it to the Council, and prevail with them to take speedy care about it, lest if neglected, it should prove of dangerous consequence. Which he did accordingly, and so managed the Council, that timely care was taken in it, and e-

ven that attempt of *Lambert's*, which in it ſelf threatned the contrary, was by his Skill dexterouſly managed for the advantage of his Majeſties Intereſt, and the haſtening his happy Reſtoration.

General *Monke* having forced the Parliament to admit the ſecluded Members, they were no ſooner ſeated in the Houſe, but they fell to ſuch kind of work as plainly diſcovered to all intelligent men, what would be the Iſſue of thoſe things which were then tranſacted: for they ordered the Releaſe of all thoſe who were impriſoned for petitioning for a Free Parliament, together with the Members of the Common-Council of *London*. They enlarged the Generals Commiſſion, conſtituting him one of the Generals at Sea; diſcharged Sir *George Booth*, and others, committed upon the account of his Riſing; and ordered the Examination of him and his Lady to be taken off the File and given to them. Then having appointed a Free Parliament to meet in the *April* following, they diſſolved themſelves; appointing a Council of State to govern in the mean while, conſiſting for the moſt part of Loyal Gentlemen; whoſe Names were as follows: *Arthur Anſley* Lord Preſident.

William

William Pierpoynt, *John Crew*, *Richard Knightly*, Colonel *Popham*, Colonel *Morley*, Sir *Anthony Aſhley Cooper*, Sir *Gilbert Gerard*, Lord *St. John*, Sir *Thomas Widdrington*, Sir *John Evelin*, Sir *William Waller*, Sir *Richard Onſlow*, Serjeant *Maynard*, Sir *William Lewis*, Colonel *Montague*, Colonel *Harly*, Colonel *Norton*, *Denzil Hollis*, Sir *John Temple*, Colonel *Tompſon*, Sir *John Trever*, Sir *John Holland*, Sir *John Poltis*, Colonel *Birch*, Sir *Harbottle Grimſton*, *John Swinton*, *John Weaver*, Colonel *Roſſiter*, Lord *Fairfax*, Lord General *Monke*. This Council was ſo influenc'd by the two great Contrivers and Managers of the happy Change, that every thing done by them tended to the furthering thereof.

And *April* 25. 1660. the new Parliament met in both Houſes; which was the moſt conſiderable ſtep they had yet made towards the accompliſhing their great end; and gave an entrance to, and made way for the perfecting the whole Contrivance. For his Majeſty immediately hereupon diſpatcht away Sir *John Greenvil* (who was afterwards created Earl of *Bath*) with Letters to both Houſes of Parliament, and General *Monke*; which were delivered to them upon the firſt day of *May*, (being but

the ſeventh day after the opening of the Parliament) together with his Majeſties gracious Declaration to all his loving Subjects; Wherein he expreſſes abundance of compaſſion and tenderneſs to the Nation, which had been ſo long harraſs'd by an unnatural War.

These Letters, and the Declaration, were received by the Parliament with a Joy and Veneration ſo extraordinary, that I find my ſelf at a loſs for words wherewith to expreſs it. And their pleaſure and ſatisfaction was ſuch, that in an extaſie of Joy they ſuddenly drew the Curtain, and expoſed the beautiful and glorious Scene to the delightful view of the languiſhing Spectators; wherein they plainly ſaw the happy Iſſue of thoſe Policies and Councils that were before Riddles too myſterious for vulgar underſtandings to unfold, or once imagine whither they tended, or where they would terminate, by the following Reſolves of both Houſes.

Reſolved by the Houſe of Peers, *That they do own and declare, That according to the Antient and Fundamental Laws of this Kingdom, the Government is, and ought to be, by King, Lords, and Commons.*

Re-

Resolved, *That a Committee of eight Lords do joyn with a Committee of the House of Commons, to consider of an Answer to His Majesties gracious Letter and Declaration.*

Resolved by the House of Commons, *That a Committee be appointed to prepare an Answer to his Majesties Letter, expressing the great and joyful sense of this House for his gracious Offers, and their humble and hearty Thanks to his Majesty for the same; and with professions of their Loyalty and Duty to his Majesty: And that this House will give a speedy Answer to his Majesties gracious Proposals.*

Resolved, *That the sum of* 50000 l. *be presented his Majesty from this House.*

The receiving those Letters, and the Parliaments compliance therewith, was no sooner reported to the City, but the Citizens were almost overwhelmed with Joy; the harmony of the Bells, and the flaming Piles which inlightened every Street, surrounded with incredible Shouts and Acclamations of Joy, were sufficient demonstrations of the infinite pleasure and satisfacti-

on they took in this no less wonderful than happy Revolution; and the several Counties taking the Alarm from *London*, contended which should out-vie each other in expressions of Loyalty and Joy.

Then the Parliament proceeded to draw up a Letter in Answer to his Majesties, subscribing it *To the King's most Excellent Majesty*, desiring him speedily to return to the Exercise of his Kingly Office; appointing Commissioners to go over to *Holland*, and attend his Majesty during the remainder of his stay there, and in his return to *England*. Of these Commissioners there were six for the House of Lords; for the House of Commons twelve, whereof our great Patriot was one; and twenty for the City of *London*.

Instructions being delivered to the Commissioners, they set sail for *Holland* in several Frigats appointed by the Parliament to attend them; and after some danger by bad weather, they landed at the *Hague*, whither his Majesty was then removed from *Breda*, (where he had resided some time before) as being a place nearer, and more convenient for his shipping; the disposal whereof, and of the whole Fleet, was remitted to his Majesties pleasure,

Gene-

General Monck having received Orders from the Parliament to obey his Majesties Orders and Directions therein. The Commissioners were no sooner arrived, but they went and waited on his Majesty, and with all imaginable Respect and Veneration, delivered their respective Messages, and behaved themselves according to the Instructions they received from their Principals; beseeching his Majesty in the name of his Parliament and People, to return and re-assume the Scepter; assuring him, That he should be infinitely welcome without any terms. They were received by his Majesty with a Port and Grace like himself, and entertain'd with extraordinary Favour and Magnificence.

In the mean time the Parliament proclaim'd the King; which was perform'd with all the Joy, Splendour, and Magnificence, that Love or Loyalty could inspire. The chief Lords of the House of Peers, and the most eminent of the House of Commons, the Lord General, together with the Lord Mayor and Aldermen, all in their Coaches, attended by the whole Militia of the City, waited upon, and assisted in the Ceremony; and the Shouts and Acclamations of the crouding Multitudes, was so extra-

extraordinary, that although all the Bells throughout the City and Suburbs were at that time ringing, yet their noise was not to be heard.

The King preparing for his Return, was magnificently treated by the *Dutch*, and highly complimented by all the Forraign Embassadours. And the *Dutch*, knowing that they should thereby very much please the King, enlarg'd their Civilities to our great Patriot, and the rest of the Commissioners from the Parliament and City, treating them by their Deputies, to their great content and satisfaction.

Whilst this great Adventurer for the Royal Cause continued in *Holland*, one day as he was doing his Duty in waiting on his Soveraign, had the unhappiness to be overthrown in a Caravan, whereby he received an unfortunate Wound in his side below the Ribs, just upon the Region of the Liver; which in time came to an Exulceration, and was in the year 1670. forced to be opened: The Operation was performed by Mr. *Knolls* the Chyrurgeon, by the advice and direction of the famous Physitians Dr. *Glisson*, Sir *John Micklethwaite* President of the Colledge of Physitians, and Sir *George Ent* Physitian in Ordinary

to

his Majesty; and supposed to be the greatest Cure that ever was done upon the Body of Man; From whence we may learn the hard Fate which sometimes attends the most commendable Actions, since this (which was the greatest mark and ensigne of Loyalty) should be made the matter of the greatest Obloquy and Reproach; most of those malicious Pamphlets that have been written against him, being filled with Invectives, grounded upon the story of the Tap. Oh monstrous Ingratitude!

His Majesty having prepared all things in readiness, embarqued for *England*, the Royal *Charles* being appointed for that purpose; and was attended by the Commissioners, and a numerous company of English Gentry, and waited on by General *Mountague* with the whole Fleet; and having a fair and gentle gale, landed at *Dover*, *May* 25. where he was met by the General and chief Nobility, and so conducted to *Canterbury*, *Rochester*, and *Dartford*, and from thence to *London*; where his Majesty found the Lord Mayor and Aldermen ready in a Tent which was pitcht in St. *George*'s Fields to receive him: The several Regiments being there placed in order, made a Lane for his Majesty to pass

through;

through: the Sword being delivered him according to custom he re-delivered it and after a splendid Treat, proceeded into *London* by *Southwark*. From the Bridge to *Temple-bar*, the Streets were rallied; on one side with Standings for the Liveries, and on the other with the Train'd Bands, and several Companies of Gentlemen-Volunteers in white Doublets, under the command of Sir *John Stawell*; through which his Majesty passed in a splendid and triumphant manner, being bravely attended by Sir *Anthony*, and the rest of the Commissioners of the Parliament and City, together with all the principal Nobility and Gentry of *England*, with innumerable others; and so he passed to *White-hall*, where both Houses of Parliament waited his Arrival: whose Speakers in elegant Speeches acquainted him with the Felicity and Happiness they conceiv'd in this happy Revolution.

The *Friday* following, his Majesty went the private way to the House of Lords, and after having made a short Speech, signed those Acts which were ready for the Royal Assent. And not long after, proceeded to the choice of his Privy-Council; and in consideration of the great Esteem

Him to be had for Sir *Anthony Ashly Cooper*, nominated him for one of them; wisely considering, That he whose Counsels had been so successful in contriving his Restoration, might be highly necessary, and very much conduce to the Establishment of Him in His Kingdom: and to shew the extraordinary Esteem he had for his Parts and Abilities, he advanced him to be one of the first Rank in the Council, placing him above his Royal Brother the Duke of *Gloucester*, and even General *Monke* himself, whom his Majesty us'd to call his Political Father. And having *in sundry respects* (saith Sir *William Dugdale* in his History of the Baronage of *England*, whom we cannot suspect of Partiality) *manifested his Loyalty to* Charles *the First, and his great Affection to his Country in the late perilous and difficult times, and likewise to our present Sovereign, by his prudent and seasonable Advice and Consultation with General* Monke, *in order to his Majesties Restoration; in consideration of these his acceptable Services, he was by Letters Patents bearing date at* Westminster, *upon the* 20th *day of* April, *in the thirteenth year of his Majesties Reign, advanced to the Degree and Dignity of a Baron of this Realm, by the Title of Lord* Ashly *of* Wim-

Wimbourne St. Giles, and to the Honour of his Body. This Honour was conferred upon him in the Banquetting-house at Whitehall, three days before his Majesties Coronation, in order to his assisting in the performance of that splendid Ceremony.

And when his Majesty was pleased to issue out the Grand Commission of *Oyer* and *Terminer* for the Tryal of the Regicides, directed to several Noble Persons, choice was made of this Honourable Lord to be of the number of that Court, his Majesty deeming him to be a Person whose Prudence and Loyalty render'd him as deserving of the Honour to which his Majesty therein preferred him, as any other contained in that Commission.

And as if his Majesty had so high a Valuation for his Lordship, that he thought his profound Parts and exemplary Loyalty merited a perpetual confluence of Royal Favours, he raised him at several times to higher degrees of Honour, making him Chancellor of his Exchequer, Under-Treasurer of the Exchequer, Lord Lieutenant of the County of *Dorset*, and one of the Lords Commissioners of the Treasury. But all these being too small to compensate his

Merits, and demonstrate the Royal bounty and Princely Gratitude of his Sovereign, whose Generous Nature inclines him to delight in nothing more, than to reward like a King.

He was advanced to the Title and Dignity of an Earl, being in the year 1672. created Earl of *Shaftsbury*, and Lord *Cooper of Paulet*, to him and the Heirs Males of his Body, by Letters Patents bearing date at *Westminster*, upon the 23 day of *April*, in the Twenty fourth year of his Majesties Raign. And in *November* following, upon the Resignation of Sir *Orlando Bridgeman*, his Majesty, to gratifie the uninterrupted good Services of the Earl of *Shaftsbury*, Chancellor of his Exchequer, and one of the Lords Commissioners of the Treasury, was pleased to give unto him the keeping of the said Great Seal, with the Title of Lord High Chancellor of *England*, (these are the words of the *Gazette*) being the second person that had enjoyed that Title since his Majesties Raign. Whereby he was placed by his Great Master in the highest Orb that any Subject could possibly move in: the Kings Conscience being, as it were, committed to his Care and Management. And with what Prudence

and

and Candour, Honour and Integrity, he acquitted himself in that great and weighty Imployment, the Transactions of the Court of Chancery during the time of his Chancellourship, will best testifie. Justice then ran in an equal Channel; so that the Cause of the Rich was not suffered to swallow up the Rights of the Poor; nor was the strong or cunning Oppressor permitted to devour the weak or unskilful Opposer; but the abused found Relief suitable to their Distress; and those by whom they were abused, a severe Reprehension answerable to their Crimes. The mischievous consequences which commonly arise from the delays and other practices of that Court, were by his ingenious and judicious Management, very much abated; and every thing weighed and determined with such an exact Judgment and Equity, that it almost exceeds all possibility of belief.

And because the Traducers of this Lords Loyalty, not onely reproach him with the Tap, which was an unquestionable Mark of Loyalty and Honour, it being got in conducting his Majesty to his Crown and Kingdom, but have likewise quarrel'd at his constant Faithfulness to

the

the Royal Interest, and endeavoured to abuse every thing he did for his Majesties Service, as they have done the Speech he made to the Parliament upon the account of the *Dutch* War: And that the World may see the temper of the Men, and upon what ground it is they were his Enemies, I have set down the Speech *verbatim* as follows:

My Lords, and you the Knights, Citizens and Burgesses of the House of Commons.

THe King hath spoken so fully, so excellently well, and so like Himself, that you are not to expect much from me. There is not a word in His Speech that hath not its full weight: *and, I dare with assurance say, will have its* effect *with you. His Majesty had called you sooner, and His Affairs required it, but that He was resolved to give you all the ease and vacancy to your own private Concerns; and the People as much respit from Payments and Taxes, as the necessity of His Business, or their Preservation would permit. And yet (which I cannot but here mention to you) by the crafty insinuations of some ill-affected persons, there have been spread strange and desperate* Rumours, *which your Meeting together this day, hath sufficiently proved both malicious and false.*

His

His Majesty hath told you, that He is now engaged in an important, very expensive, and indeed a War absolutely necessary and unavoidable. He hath referred you to His Declaration, where you will find the Personal Indignities by Pictures, and Medals, and other publick Affronts, His Majesty hath received from the States; them Breach of Treaties both in the Surinam and East-India business: and at last they came to that height of Insolence, as to deny the honour and right of the Flag, though an undoubted Jewel of this Crown, never to be parted with, and by them particularly owned in the late Treaty of Breda, and never contested in any Age. And whilst the King first long expected, and then solemnly demanded Satisfaction, they disputed His Title to it in all the Courts of Christendom, and made great Offers to the French King, if he would stand by them against us. But the most Christian King too well remembred what they did at Munster, contrary to so many Treaties, and solemn Ingagements; and how dangerous a Neighbour they were to all Crowned heads.

The King and His Ministers had here a hard time, and lay every day under new Obloquies. Sometimes they were represented as selling all to France to make this War; Portu-

Portsmouth, Plymouth, and Hull, were to be given into the French hands for Caution. The next day news came, that France and Holland were agreed. Then the Obloquy was turned from Treachery to Folly: The Ministers were now Fools, that some days before were Villains. And indeed the Coffee-houses were not to be blamed for their last apprehensions; since if that Conjunction had taken effect, then England had been in a far worse case than now it is, and the War had been turned upon us. But both Kings knowing their Interests, resolved to joyn against those, who were the common Enemies to all Monarchies, and I may say, especially to their onely Competitor for Trade, and Power at Sea; and who onely stand in their way to an universal Empire, as great as Rome. This the States understood so well, and had swallowed so deep, that under all their present distress and danger, they are so intoxicated with that vast ambition, that they slight a Treaty, and refuse a Cessation.

All this you and the whole Nation saw before the last War; but it could not then be well timed, or our Alliances so well made, but you judged aright, that at any rate, Delenda est Carthago, That Government was to be brought down. And therefore the King

may

may well ſay to you, 'Tis your War. He took his meaſures from you, and they were juſt and right ones: and He expects a ſuitable aſſiſtance to ſo neceſſary and expenſive an Action; which He has hitherto maintained at His own charge, and was unwilling either to trouble you, or burden the Country, until it came to an inevitable neceſſity. And His Majeſty commands me to tell you, that unleſs it be a certain ſum, and ſpeedily raiſed, it can never anſwer the Occaſion.

My Lords and Gentlemen,

Reputation is the great ſupport of War or Peace. This War had never begun, nor had the States ever ſlighted the King, or ever refuſed Him Satisfaction, neither had this War continued to this day, or ſubſiſted now but that the States were deceived in their meaſures, and apprehended His Majeſty in that great want of money, that He muſt ſit down under any Affronts, and was not able to begin, or carry on a War. Nay, at this day the States ſupport themſelves amongſt their People by this onely falſhood, that they are aſſured of the temper of England, and of the Parliament, and that you will not ſupply the King in this War: And that if they can hold out till your meeting, they will have new life, and may take new meaſures. There are lately

lately taken two of their principal Agents, with their Credentials and Instructions to this purpose, who are now in the Tower, and shall be proceeded against according to the Law of Nations. But the King is sufficiently assured of His People; knows you better; and can never doubt His Parliament. This had not been mentioned, but to shew you of what importance the frankness and seasonableness of this Supply is, as well as the fulness of it. Let me say, the King has brought the States to that condition, that your hearty conjunction, at this time, in supplying His Majesty, will make them never more formidable to Kings, or dangerous to England. And if after this you suffer them to get up, let this be remembred, The States of Holland are England's eternal Enemy both by Interest and Inclination.

In the next place, to the Supply for the carrying on of the War, His Majesty recommends to you the taking care of His Debts. That you gave the last Session, did not near answer your own expectation. Besides, another considerable Aid you designed His Majesty, was unfortunately lost in the birth; so that the King was forced, for the carrying on of His Affairs, much against His will, to put a stop to the payments out of the Exchequer.

quer. He saw the Pressures upon himself and growing Inconveniencies to His People by great Interest; and the difference through all His business, between ready Money and Orders. This gave the King the necessity that preceding, to make use of his own Revenue, which hath been of so great effect in this War. But though he hath put a stop to the trade and gain of the Bankers, yet he would be unwilling to ruine them, and oppress so many Families as are concerned in those Debts; besides, it were too disproportionable a burden upon many of His good Subjects. But neither the Bankers, nor they, have reason to complain, if you now take them into your care, and they have paid them what was due to them when the Stop was made, with Six per Cent. Interest from that time. The King is very much concern'd both in Honour and Interest, to see this done. And yet he desires you not to mis-time it; but that it may have only the second place, and that you will first settle what you intend about the Supply.

His Majesty has so fully vindicated His Declaration from that Calumny concerning the Papists, that no reasonable scruple can be made by any good man. He has sufficiently justified it by the time it was published in, and the effects He hath had from it; and might have

...done it more, from the agreeableness of it to His own natural disposition, which no good English-man can wish other than it is. He loves not blood, or rigorous severities; but where mild or gentle ways may be used by a wise Prince, He is certain to chuse them. The Church of England *and all good Protestants, have reason to rejoyce in such a* Head, *and such a* Defender. *His Majesty doth declare his care and concerns for the Church, and will maintain them in all their Rights and Priviledges, equal, if not beyond any of his Predecessors: He was born and bred up in it: It was that his Father died for: He know how great Temptations and Offers He slighted abroad, when He was in His lowest condition: And he thinks it the Honour of his Reign, that he hath been the* Restorer *of the* Church: *'Tis that He will ever maintain, and hopes to leave to posterity, in greater glory, and upon surer grounds, than our Ancestors ever saw it. But His Majesty is not mistaken that* violent ways *are the Interest of* Religion *or the* Church.

There is one thing more which I am commanded to speak to you of, Which is the scandale that hath been foolishly spread abroad, of the Forces the King hath raised in this year: Wherein the King hath opened him-

 self

self freely to you, and confessed the faults o
the other hand. For if this last Summer ha
not proved a Miracle of Storms and Tem
pests, such as secured their East-India Flee
and protected their Sea-coast from a disce
nothing but the true reason (want of Money
could have justified the defect in the numbe
of our Forces. 'Tis that His Majesty is pro
viding for against the next Spring, having
given out Orders for the raising of seven o
eight Regiments more of Foot, under the com
mand of Persons of the greatest Fortunes an
Quality. And I am earnestly to recommend
to you, that in your Supplies you will tak
into your consideration this necessary addition
of charge.

And after His Majesties conclusion of Hi
Speech, let me conclude, nay, let us all con
clude with blessing God and the King. Le
us bless God, that he hath given us such a
King to be the Repairer of our Breaches bo
in Church and State, and the Restorer o
our Paths to dwell in. That in the midst o
War and Misery, which rages in our Neig
bour Countries, our Garners are full, an
there is no complaining in our Streets.
And a Man can hardly know that there is a
War. Let us bless God, that hath given th
King signally the Hearts of His People, an
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and particularly of this Parliament, who in their Affection and Loyalty to their Prince, have exceeded all their Predecessors. A Parliament with whom the King hath many years lived with all the Caresses of a happy Marriage. Has the King had a Concern? You have wedded it. Has His Majesty wanted Supplies? You have readily, chearfully, and fully provided for them. You have relied upon the Wisdom and Conduct of His Majesty in all His Affairs; so that you have never attempted to exceed your bounds, or to impose upon Him: whilst the King on the other hand hath made your Counsels the foundations of all his proceedings, and hath been so tender of you, that he hath upon His own Revenue and Credit endeavoured to support even Foreign Wars, that he might be least uneasie to you, or burdensome to His People. And let me say, that though this Marriage be according to Moses's Law, *where the Husband can give a* Bill of Divorce, *put her away, and take another; yet I can assure you, it is as impossible for the King to part with this Parliament, as it is for you to depart from that Loyalty, Affection, and dutiful Behaviour, you have hitherto shewed towards Him.*

Let us bless the King for taking away all

our Fears, and leaving no room for Jealousies for those Assurances and Promises He hath made us. Let us bless God and the King that our Religion is safe: That the Church of England *is the care of our Prince: That Parliaments are safe: That our Properties and Liberties are safe. What more hath a good English-man to ask, but that this King may long Reign, and that this Triple-Alliance of King, Parliament, and People, may never be dissolved?*

The King having about that time made Sir *Edward Turner* (Speaker of the House of Commons) Lord Chief Baron of the Exchequer, the Lord Chancellor acquainted them therewith; and recommended to them his Majesties pleasure for their electing a new Speaker, in the following Speech.

My Lords, and you the Knights, Citizens, and Burgesses of the House of Commons.

His Majesty hath commanded me to tell you, That he hath many things to say to you, but he thinks not this a proper time, but will defer it till the House of Commons be compleated with a new Speaker. For His Majesty hath since the last Session, as a mark of His Favour to His House of Commons, and

that

that he might reward so good a Servant, taken their late Speaker, Sir Edward Turner, *to be Lord Chief Baron of the Exchequer, and called him by Writ to be an Assistant to this House. I am therefore commanded to acquaint you Gentlemen of the House of Commons, That it is the Kings pleasure you repair to your House, and elect a Discreet, Wise, and Learned man, who after he hath been by you presented, and that Presentation by His Majesty admitted, shall then possess the Office of your common Mouth and Speaker. And the King is pleased to be here to morrow in the afternoon, to receive the Presentment of him accordingly.*

The Commons having Elected Sir *Job Charlton* to be their Speaker (who being by them presented to the King) addressed himself to His Majesty in the following words.

Most Gracious Soveraign,

THe Knights, Citizens, and Burgesses of the House of Commons, in Obedience to your Royal Command, have proceeded to the Choice of a Speaker.

They have among them many worthy Persons, eminently qualified for so great a Trust;

yet with too favourable an Eye have cast it upon me, who am really conscious to my self of so many infirmities, rendring me much unfit for so great an Employment: And although my endeavours of excusing my self before them have not been successful, yet they have been so indulgent, as to permit me to continue my endeavours therein before Your Majesties most piercing and discerning Judgment.

The Veneration due to Majesty, which lodgeth in every Loyal Breast, makes it not an easie matter to speak before Your Majesty, at any time, or in any capacity; but to speak before Your Majesty in Your Exaltation, thus gloriously supported and attended, and that as Speaker of Your House of Commons, requires greater Abilities than I can pretend to own: I am not also without fear, That the Publick Affairs, wherein Your Majesty and your Kingdom, in this juncture of time are so highly concern'd, may receive detriment through my weakness.

I therefore with a plain humble heart, prostrate at Your Royal feet, beseech, That You will command them to review what they have done, and to proceed to another Election.

To which the Lord Chancellor made the following Answer:

Mr.

Mr. Serjeant *Charlton*,

THE King hath very attentively heard your discreet and handsome Discourse, whereby you endeavour to excuse and disable your self for the place of Speaker; in answer whereof, His Majesty hath commanded me to say to you, That he doth in no sort admit of the same: for his Majesty hath had long experience of your Abilities, good Affection, Integrity, and Resolution, in several Employments of great Trust and Weight; He knows you have been long a Parliament-man, and therefore every way fitted and qualified for the Employment. Besides, he cannot disapprove the Election of this House of Commons, especially where they have expressed so much Duty in chusing one Worthy and Acceptable to him. And therefore the King doth allow of the Election, and admits you for Speaker.

Sir *Job Charlton* seeing his Excuse could not be admitted, but that notwithstanding His Majesty had confirmed the Commons Choice by his Royal Approbation, spake as follows:

Great SIR,

SInce it is Your gracious Pleasure not to accept of my humble Excuse, but by Your Royal Approbation to fix me under this Great, though Honourable Weight, and to think me fit to be invested with a Trust of so high a nature as this is;

I take it in the first place to be incumbent upon me, that I render Your Majesty all possible thanks, which I now humbly do, with a heart full of all Duty, and affected with a deeper sense of Gratitude than I can find words to express.

Next, from Your Royal Determination in this Affair, whereby You have imprinted a new Character upon me, I take courage against my own diffidence, and chearfully bend my self with such strength and abilities as God shall give, to the Service so graciously designed me; no way doubting that Your Majesty will please to pardon my Frailties, to accept of my faithful Endeavours, and always to look favourably on the Work of Your own hands.

And now, Sir, my first Entrance upon this Service, obliges me to make a few necessary, but humble Petitions on the behalf of Your most Loyal and Dutiful House of Commons.

1. That

1. That for our better Attendance on the Publick Service, we and our Servants may be free in our Persons and Estates from Arrests and other Disturbances.
2. That in our Debates, Liberty and Freedom of Speech be allowed us.
3. That as occasions shall require, Your Majesty upon our humble suit, and at such times as Your Majesty shall judge seasonable, will vouchsafe us access to Your Royal Person.
4. That all our Proceedings may receive a favourable Construction.

That God, who hath brought You back to the Throne of Your Fathers, and with You all our Comforts, grant You a long and a prosperous Reign, and send You Victory over all Your Enemies: and every good mans heart will say, *Amen.*

To which the Lord Chancellor reply'd,

Mr. Speaker,

THe Kings Majesty hath heard and well weighed your short and Eloquent Oration; and in the first place, much approves that you have, with so much advantage, introduced a shorter way of speaking upon this

occasion: His Majesty doth well accept of all those dutiful and affectionate Expressions in which you have delivered your Submission to his Royal Pleasure; and looks upon it as a good Omen to his Affairs, and as an Evidence that the House of Commons have still the same Heart, that have chosen such a Mouth. The conjuncture of time, and the King and Kingdoms Affairs, require such a House of Commons, such a Speaker; for with Reverence to the holy Scripture, upon this occasion the King may say, He that is not with me is against me: for he that doth not now put his Hand and Heart to support the King in the common Cause of this Kingdom, can hardly ever hope for such another opportunity, or find a time to make satisfaction for the Omission of this.

Next, I am commanded by His Majesty to answer your four Petitions, whereof the first being, The freedom of you and your Servants in your Persons and Estates, without Arrest or other disturbance, the King is graciously pleased to grant it as full as to any of your Predecessors.

The second, for Liberty and Freedom of Speech; the third, for Access to his Royal Person; and the fourth, That your proceedings may receive a favourable construction,

are all freely and fully granted by his Majesty.

During the time of his Chancellorship he lived at *Exeter*-house in the *Strand*, and managed and maintained all things with a Port and Bravery suitable to the Greatness and Dignity of his place; exceeding therein all who have enjoyed that Honour in his Majesties Reign: as will appear by the manner of his proceeding from his House to *Westminster-hall*, the first day of *Hillary*-Term, *Jan.* 23. being the first Term after his receiving the Seal.

In the Morning the Twelve Judges, and the several Officers of the High Court of Chancery, together with the whole Body of the Law, repaired to *Exeter*-house, where they were entertain'd at a splendid and magnificent Treat by his Lordship; which being ended, he proceeded (according to the ancient and laudable Custom) to *Westminster*, in the following Order.

First went

The Beadles,
The Constables,
The High-Constable,

The

The Tipſtaffs,
The Cryer of the Court,
The Gentlemen-Clerks,
The Sixty Clerks of the Chancery,
The Maſter of the *Subpœna*-Office,
The Maſter of the *Affidavit*,
The Students of the Inns of Court,
The Curſitors,
The Clerk of the Patents,
The Regiſters,
The Barriſters at Law,
The Clerks of the Hanaper,
The Prothonotary,
The Clerk of the Crown,
The Examiners,
The Clerks of the Petty Bag,
The Six Clerks.

Then proceeded the following Officers, being all of them bare:

The Sealer to the Great Seal,
The Chaſe-Wax to the Great Seal,
The Uſher of the Court,
The Maſter of the Roll's Gentlemen,
The Lord Chancellors Gentlemen,
The Secretaries,
The Steward of the Houſe, and Warden of the *Fleet*,

The

The Gentleman-Uſher,
The Seal-bearer, carrying the Purſe wherein was the Great Seal,
The Serjeant at Arms attending the Great Seal, carrying the Mace.
After whom came the Lord High Chancellor himſelf on Horſe-back, being richly array'd.
The Gentleman of his Horſe, attended by a Page, a Groom, and ſix Foormen, walking along by his Stirrup.

Next to the Lord High Chancellor followed the Lord Chief Juſtice, the Maſter of the Rolls, the Lord Chief Baron of the Exchequer, and the reſt of the Judges according to their Seigniority.

And laſt of all came the Kings Serjeant at Law, the Kings Attorny-General, the Kings Sollicitor-General, the Kings Counſel, the Duke of *York*'s Attorny, and his Sollicitor, together with the ſeveral Maſters of the Chancery.

In which Order they paſſed all along the *Strand*, by *White-hall*, through *Kings-ſtreet*, and ſo to *Weſtminſter*-hall, the ſtreets being lined with abundance of crouding Specta-

Spectators, who were exceedingly pleased with the Decency and Gallantry thereof.

All the time he enjoyed the Chancellorship, he managed it with as much Honour and Advantage to his Majesty, as any that ever did or will enjoy it. And that not onely upon the Bench, but in the Senate too; wherein he endeavoured to the uttermost of his power, to vindicate his Majesties Actions; and by his admirable Eloquence labour'd to prevent or remove any Misunderstandings and Jealousies between the King and his Parliament, as appears by the many excellent Speeches he made to the two Houses, when he was the Mouth of the King to his People; and had the Honour to be more successful therein than any who have succeeded him in that honourable Station. His sentiments of, and veneration for his Soveraign, and the smooth and charming Eloquence wherewith he fluently expressed himself upon all occasions, sufficiently appear in that Speech which he made to the Lord Treasurer, *December* the 5th 1672. upon his taking his Oath before him in the Exchequer.

My

My Lord Treasurer,

THE Kings most Excellent Majesty knowing your Integrity, Abilities, and Experience in his Affairs, and particularly those of his Treasury, hath thought fit to make choice of you to be his Lord High Treasurer of England; and what necessarily accompanies that place, hath by his Letters Patents under the Great Seal, made you Treasurer of his Exchequer.

The Lord High Treasurer of Englands Office, is held by the Kings delivery of the White-Staff: The Treasurers of the Exchequer hath ever been held by Letters Patents; And is that by which your Lordship is more immmediately intituled to be a Chief Judge of this Court.

It were too nice and tedious, and peradventure too formal, to give an account of the several distinct Powers of these two Offices, Reason and the length of time hath now so woven them together. But as they are both in your Lordship, I may justly say you are in a place of the first Rank, as to Dignity, Power, Trust, and Influence of Affairs. A place that requires such a Man as our great Masters Wisdom hath found for it; from whose Natural temper we may expect Courage, Quickness and Resolu-

Resolution; from whose Education, Wisdom and Experience; and from whose Extraction, that Noble and Illustrious House of the Cliffords, *an heroick Mind, a large Soul, and an unshaken Fidelity to the Crown.*

My Lord, it's a great Honour, much beyond even the place it self, that you are chosen to it by this King, who, without Flattery I may say, is as great a Master in the knowledge of Men and Things, as this or any other Age hath produced: And let me say farther, It is not onely your Honour that you are chosen by Him, but it is your Safety too, that you have him to serve, with whom no subtile Insinuations of any near him, nor the aspiring Interest of a Favourite, shall ever prevail against those that serve him well: Nor can his Servants fear to be sacrificed to the Malice, Fury, or Mistake of a more swelling popular greatness. A Prince under whom the unfortunate fall gently; a Prince, in a word, that best of all Mankind deserves that Title, Deliciæ humani generis.

My Lord, I will not hold you long, for you have a Journey to go: after you have taken your Oath, and your place in this Court, you are (according to ancient custom) to visit all the Offices in the upper and lower Exchequer; and therefore let me end with this Wish, or rather

rather Prophesie, That you may exceed all your Predecessors, the Abilities and Fidelity of the Renowned Lord Burleigh; the Sagacity, Quickness, and great dispatch of his Son the Lord Salisbury; and the Uprightness, Integrity, and Wisdom of that great Man that went Last before you, the Earl of Southampton.

And as the Earls endeavours were incessant to serve his Soveraign, so he was no less sollicitous to serve the Publick Good, endeavouring to make the Courts of Judicature (as much as possible) answer the ends for which they were designed, *viz.* The ease of the Subject; labouring to have the Kings Prerogative and the Subjects Property so interwoven, that they might always be inseparable; as appears by that excellent Speech made by him in the Exchequer, *January* 24. 1673. at Serjeant *Thurland*'s taking the Oath, in order to be made a Baron, as followeth:

Mr. Serjeant *Thurland*,

THe King, of his Grace and Favour, hath made choice of you to be one of the Barons of the Exchequer: he designed to place you in a Court of more profit, though not of

more

more Dignity; but your own modesty ha
chosen this Court, where you thought you co
serve the King best: and I could not ch
but mention it here to your Honour; it bei
the greatest instance of a good man, That
had rather be found serviceable than vi
His Majesty hath had large proof of your fo
mer service: besides, he takes you upon th
Credit of that Recommendation, that ha
justly the best place with him, I mean hi
Royal Brothers. Some few things it is fit
should here mention to you, and leave wit
you as Admonitions, or rather Remembrances.

In the first place, you are to maintain th
Kings Prerogative, and let not the Kings Pre
rogative and the Law be two things with you
for the Kings Prerogative is Law, and th
principal part of it: therefore in maintaining
that, you maintain the Law. The Govern
ment of England is so excellently interwoven,
that every part of the Prerogative hath a broad
mixture of the Interest of the Subject; the
ease and safety of the People, being inseparable
from the greatness and security of the Crown.

In the next place, let me advise you, tha
you acquaint your self with the Revenue, a
also the ancient Records, Precedents, and
Practices of this Court; for want of which
knowledge, I have seen this Court a most ex-

cellent

Common-Pleas, when at the same time I could not say so much for it as an Exche-

In the third place, let me recommend to you, to manage the Kings Justice and the Revenue, as the King may have most Profit, and the Subjects least Vexation. Raking for old Debts, the number of Informations, Projects and Concealments, I could not find (in the seven years Experience I have had in this Court) ever to advantage the Crown, but such proceedings have (for the most part) delivered up the Kings good Subjects into the hands of the worst of men.

There is another thing I have observed in this Court, which I shall mind you of; which is, when the Court hearkens too much to the Clerks and Officers of it, and are too apt to find out Process, when the Money may be raised by other ways, more easie to the People. I do not say that the Kings Duty should be lost, or that the strictest course should not be taken, rather than that be; for when you consider how much the Officers of this Court, and the Undersheriffs get by Process upon small sums, more than the Kings Duty comes to, and upon what sort of People this falls, (viz.) The Farmer, Husbandman, and Clothier in the Country, that is generally the Collector, Constable,

stable, and Thythingman, and so distu[illegible] the industrious part of the Nation, you [illegible] think it fit to make that the last way, wh[illegible] no other will serve.

Give me leave also to mind you of one thi[illegible] more; it is in your Oath, That the Kin[illegible] Needs ye shall speed before all others: *th[illegible] is, the business of the Revenue of the Crow[illegible] you are to dispatch before all other, and n[illegible] turn your Court into a Court of Commo[illegible] Pleas, and let that justle out what you we[illegible] constituted for.*

In the last place, Let me conclude wi[illegible] what concerns all my Lords the Judges [illegible] well as you, let me recommend to you the Po[illegible] and Way of living suitable to the Dignity [illegible] your Place, and what the King allows yo[illegible] There is not any thing that gains more Rep[illegible] tation and Respect to the Government th[illegible] that doth; and let me tell you, Magistrate[illegible] as well as Merchants, are supported by th[illegible] Reputation.

To his successful Counsel do both King and Kingdom owe the happy Conduct of Affairs for many years together; the e-vents of his Advices always agreeing with, and answering the Ends for which they were at first proposed; so that the King

seldom

fail'd of any thing that was catri-
by his direction; for which reason
wise administration and management
things, had as it were incorporated him
the very Heart of his Prince: so that
men began now to conclude, That this
eat Man (whose constant Loyalty had
der'd him so dear to his Majesty) was
firmly fix'd and rooted in the Royal
vour, than ever to be removed, or alie-
ted therefrom; since he did, as most
men imagin'd, sit so high, and withal so
ely, that he was above the reach of En-
or the possibility of being undermined
any subtle and false Insinuations, or sa-
ic'd to the malice of any aspiring Fa-
rite. Yet Fortune, who is always fic-
, and constant in nothing but inconstan-
never proved more false to any, than
did to him. And his unshaken faith-
ness to His Majesty, from whose Interest
Temptation could ever allure him, to-
ther with the Figure he made, and the
gh Station wherein he deservedly stood,
so far from defending him against,
it subjected him to the Envy, and ex-
d him to the spleenful Hate, and insa-
le Revenge of those who became his
terate and implacable Enemies; for

no

no other reason than his extraordi
Zeal to have His Majesty safe in his P
son, by being great in the Hearts of
Subjects, and Reign without a Compe
tor, and thereby become formidable to
Enemies; and be able (like his Predec
sors) to give Laws to the Neighbour
Princes. The onely way to promote
publick Good, maintain the Security
Religion, the safety of the Governme
and advance the Honour of the Engli
Nation.

Wherefore they having resolved up
his ruine, and knowing that the higher
mounted, the more likely he would be
fall; and if he did fall, it would be w
the greater precipitancy and danger: Th
rack'd all their Inventions, and improv
all their Interest at Court to have him
vanc'd to higher Honour, although he
already exalted even above his own A
bition, and thereby involved into so m
danger, that he was forced every night
keep a constant Guard about his Ho
thereby to secure his Person from
bloody Attempts of Popish Ravillacks,
Roman Godfridizers. So that this hop
Project not succeeding according to
pectation, may be read by the future A

Chronicles, to his immortal
and the shame and infamy of his

although they were not able with
their combinated strengths to trample
into an Ignominious Grave, yet they
shortly after found an occasion of triumph,
in the taking from him his honourable
employment, to which he ascended upon
Ordinance of Merit, used with abundance
of impartiality, and resigned with as much
Innocency and Honour, in the following

About *November* 1673. the King was
pleased to send for his Lordship to *White-*
hall, where, upon His Majesties Com-
mand, he resigned the Great Seal of Eng-
land to be disposed of as His Majesty should
think fit. And thus this mighty Minister
of State (who had, to the satisfaction and
admiration of all good men, and to the
grief and prejudice (and therefore to the
hatred and envy) of none but the Papists,
improved that Power whereunto the
Love and Favour of his Soveraign had
raised him) did, without any kind of
murmuring or repining, lay it down again
at the feet of him from whom he at first
derived

derived it. Never abating of his
Briskneſs, nor altering the natural ch
ſulneſs of his Temper, upon the loſs of
honorary Places: but on the contra
when he had delivered the Seal, he put
his Sword; accounting it as much H
nour and Happineſs to walk with that
his ſide unenvied, as to have the Mace a
Purſe carried before him with abundan
of Emulation and Grudge, beſides da
ger.

In the Afternoon he was viſited at h
Manſion-houſe by his Highneſs Prince R
pert, and divers other Peers and Gentl
men of Quality, who gratefully ackno
ledged themſelves to be extreamly obli
by his juſt and honeſt diſcharge of th
Truſt which had been repoſed in him;
which they returned him thanks.

And many whoſe tedious or diffic
Suits were diſcharged by his dexterity an
wiſdom, will ever remember him with H
nour and Veneration. For by his adm
rable Prudence, deep Judgment, and quic
Apprehenſion, he uſed preſently, and th
with abundance of Facility and Eaſe, t
penetrate into the moſt intricate and diſ
cult Cauſes, and diſperſe thoſe cloud
Miſts wherewith the ſubtile Lawyer h
darken

[illegible]ened and perplexed the just and ho-[illegible] Title; as the Author of the Cha-[illegible]cter of a Loyal States-man ingeniously expresses it:

——His choice Sagacity,
Strait salv'd the Knot that subtle Law-
(yers ty'd,
And through all Fogs discern'd the oppres-
(sed side:
Banish'd delays, and so this Noble Peer
Became a Star of Honour in our Sphere.
A needful Atlas *of our State*, &c.

And indeed he manag'd the Court of Chancery with such an unbyass'd Judgement and Uprightness, that forced even those who lost the Cause, to admire his Sagacity, and confess the equality of his Justice.

THE SECOND PART OF RALWEIGH Redivivus.

THE discarding of the great *SHAFTSBURY*, was some abatement to the excessive sorrow of his Popish Enemies, and proved a seasonable allay to that tormenting Grief, which, peradventure, might otherwise, *Vulture*-like, have prey'd upon, and fretted and consumed their Vitals, and thereby have saved the World from that trouble it hath already felt, and may expect from them. But not contenting themselves with his being discarded, resolved still to prosecute his ruin, and thereby render their re-

revenge the more full and compleat. And in order thereunto, they first vainly attempted to murder his unblemished Reputation, and bring his Loyalty into Suspicion, and then, with an infernal Impudence, accused him of *High-Treason*; (the same Project, whereby they have since so often unsuccessfully attempted his ruin) obliging Colonel------ to pursue and prosecute the Accusation; and to make him the more capable of performing it, they did with all the Art and Industry, wherewith *Hell* and *Rome* could furnish them, make a narrow search, and exact scrutiny into the several Offices he had passed through, hoping there to find some casual accident or other, which might by their *Hellish Policy* have been improved to *High-Treason*; well knowing that suddain surprize, the want of a true Information, or the falling short of a full and clear understanding of some material Circumstances, might expose the most profound and exactest Judge in the World, to a mistake in Judgement. Yet, to their amazement and anguish, and the glory of that Divine Providence, whereby the Almighty, who fore-sees the issue and events of all sublunary Actions, wisely orders and disposes

all

all things to the advantage of the favourites of *Heaven*, they found no such casual slips or oversights in his management, that could any way answer the pains they had taken in searching the *Records* of his Actions, or favour the Designs they were carrying on against him. For, having with a complicated malice, and impatiency of destroying him, who of all others stood most in the way of their other Designs, amassed together, and mustered up all the worst things which those *Infallible Vipers*, by the force of their *Roman Venom*, were able to draw and attract out of the *Court-Rolls*, so digested and phrased, as might best serve the purpose to which they were designed, and presented them to the King's Learned Council in the Law, for their judgment, whether there were any thing contained therein, upon which they might find matter whereon to ground an accusation of *Treason*; They did after a serious perusal of the several particulars, and pretended Crimes, affirm, to their everlasting Honour, that there was nothing which amounted to *Treason* contained therein. So that all their pains and industry, noise and clamour, served to no other purpose, than the exposing their own folly and

wickedness, and the making His Loyalty and Justice shine with the more brightness and splendour; and the giving him a fresh provocation, as well as future opportunity, to pry more narrowly into, and with the greater vigour oppose their *Machivilian* Designs against His *Soveraign*, the *Protestant Religion*, and the interest of *Britain*; and thereby sadly frustrate their *BUDDING HOPES*.

Nor was it long before their pregnant and groaning Designs gave him an occasion to demonstrate his Zeal therein; for about *April*, or *May*, 1675. an odd kind of a Bill was unexpectly offered one Morning in the *House of Lords*, whereby all such as enjoyed any beneficial Offices or Imployments, *Ecclesiastical*, *Civil*, or *Military*, to which was added, *Privy-Councellors*, *Justices* of the *Peace*, and *Members* of *Parliament*, were under a penalty to take the *Oath*, and make the Declaration and Abhorrence ensuing.

I A. B. *Do Declare, That it is not lawful upon any pretence whatsoever to take up Arms against the King; And that I do abhor that Trayterous position, of taking Arms by His Authority, against His Person, or those that*

that are Commissionated by Him in pursuance of such Commission. And I do Swear, That I will not at any time endeavour any alteration of Government, either in Church *or* State, *so help me God.*

The same *Oath* was brought in the *House of Commons*, in the Plague-Year, at *Oxford*, and great endeavours used to have it imposed upon the Nation; but was strenuously opposed by the very same persons that now introduced it into the *House of Lords*, and by their assistance, thrown out as a pernicious thing, tending to the general infecting the Vitals of the Kingdom. And although it then passed in a particular Bill, commonly known by the Name of the *Five-Mile-Act*, because it onely concerned the *Nonconformist Preachers*; yet, even in that, it was mightily opposed by that faithful Friend to the *Crown*, the late Earl of *Southampton*, whose sentiments and judgment, in an Affair of that Nature, might certainly have been accounted the *Platform* and *Standard* of Prudence and Loyalty. This *Oath* they said was but a little thing, being onely a moderate security to the *Church* and *Crown*. Yet, their so stifly defending it, when opposed by

his Lordship and others, together with their fierce and united endeavours to have it pass the *House*, made all thinking men suspect that there was some extraordinary Design wrapt up in it; and therefore contended for by them, not as a trifle, but a thing of that weight, that the whole stress of Affairs depended thereon. And indeed the word *Commission*, as it was there to be taken, was of an extraordinary Extent and Latitude: for if it should have been for taking away Estate or Life by force, or if the person commissionated were under never so many disabilities by *Acts of Parliament*, yet the taking that *Oath* would have removed all those Incapacities, or his Commission would have ended the Dispute.

So that it came at last to be one of the greatest Contests, perhaps, that ever happened in *Parliament*; wherein his *Lordship* and divers other Illustrious *Peers*, being assured of their own Loyalty and Merit, stood up against the *Oath*, and pleaded for the Antient *English Liberties*, with the same pious Vertue, and heroick Courage, and Resolution, wherewith their Noble *Ancestors* had formerly defended the Great *Charter* of *England*; onely they deserved

served far greater Commendation and Honour, in regard they grapled with far greater difficulties, and had not so fair a Field to engage in, but fought it out under all the disadvantages imaginable; being overlaid by numbers, and the noise of the House, like the Wind, bearing hard upon them: nor, being so few, could they, as their Adversaries, withdraw to refresh themselves in a whole days engagement: yet never was there a fuller demonstration, how dull a thing humane Eloquence is, and how small and inconsiderable the most towering and insulting Greatness, when bright Truth discovers all things in their proper colours and dimensions, and like the Sun, shoots its enlightning Rays through all their fallacies. The Dispute lasted many days, with much eagerness on both sides, and was so warmly opposed, that the *Parliament* was prorogued before the *Lords* came to any Resolution about it; but in the next Sessions they ordered it to be burnt. It might be injurious to the rest of the Noble *Lords*, who took part with him therein, to attribute the whole success to him; yet the Promoters accused him of having first opposed it, and that he and the Duke of *Buckingham* stirred up and influenced the rest.

And therefore the Popish Party, who, 'tis probable, hop'd to have reaped the greatest advantage by that *Oath*, banded against him, with as much fierceness as ever; and although they had failed of murthering his Person, yet resolved to accomplish the ruine of his Reputation, influencing several *Frenchmen*, as well *Clergy* as *Laity*, to lend their helping hand to this great Work. The former were to bespatter him in their Pulpits, as if they were stamping down the Devil, instead of commending the Blessed Jesus in the Tenden of the Gospel. The other were to bespatter him with their Pens, thereby to procure him the hatred of the Vulgar, who commonly take up things upon Trust, and believe every thing they read to be true. And because they could procure no better, they employed *Needham*, a mercenary Wretch, who had, with an audacious impudence, and unparallel'd virulency, writ against two Kings, (*viz.*) our present Sovereign, and His *Royal Father*; and therefore the more fit for such an undertaking. His first Essay was in a Libellous Pamphlet called, *Advice to the Men of Shaftsbury*, wherein he falsely charged him with many fictitious Crimes, and imaginary Designes against the *Government*. And

and that having prepared the way to the ruine, (as they imagined) they hoped to accomplish it by an Accident which happened quickly after in the ensuing Parliament, which met *Feb.* 15. 1676. after fifteen months prorogation, upon this occasion. As soon as the King had finished his Speech, the Commons withdrew, and the Lords had taken their respective Seats. The Duke of *Buckingham*, who usually says what he thinks, stood up and argued with great strength of Reason, That according to the Laws and Constitution of Parliaments, that unprecidented Prorogation was null, and the Parliament consequently dissolved; offering moreover to maintain it to all the Judges, and desiring, as hath been usual in such Cases, That they might give their Opinions. But a certain Lord fancying himself a better Judge of that weighty point in Law, moved that the Duke of *Buckingham* might be called to the Bar; whereupon his Lordship stood up and oppos'd it as an extravagant motion, and asserted the validity of *Buckingham*'s Proposals with all the Ciceronian height of Courage and Reason. Whereupon another Lord, of no less consideration than the former, who had called the Duke to

the

the Bar, flood up in as great part, as if the Salt had been thrown down, or some such like ominous Accident had happened, and with abundance of earnestness renewed the Motion for calling the Duke to the Bar: but there were too many Lords between for that Motion to succeed, and advice was brought every moment from the House of Commons, that the thing was yet in agitation among them; which gave his Lordship an opportunity to appear with extraordinary vigour in defence of the Duke's Person, and his Proposal; so that the Earl seem'd more properly another Principal, than the Duke's Second. Whereupon the Lord *Chancellor* therefore undertook on the contrary to make the Prorogation look very formidable, laying the best colour upon it, and the worst upon his Opponents. Thus, for five or six hours, it grew to be a fixed Debate; many arguing it on both sides in a regular method, until they received the welcome News, that the Commons were risen without doing any thing; whereupon the greater number called for the Question, and had it in the affirmative, That the Debate should be laid aside.

And thus being flushed, but not satisfied with

their Victory, they fell desperately upon them who had affirmed the dissolution the same night, and the next day voted his Lordship, with the Duke of *Buckingham*, the Earl of *Salisbury*, and the Lord *Wharton*, to be committed to the Tower, under the notion of Contempt, during his Majesties and the Houses pleasures. The Contempt for which they were committed, was their refusing to recant their Opinions, and ask pardon of the King and the House of Lords, notwithstanding the liberty and freedom of Speech which his Majesty verbally and of course allows them at the opening of every Parliament. The Warrant for the committing his Lordship, together with the Earl of *Salisbury*, and the Lord *Wharton*, ran thus:

ORdered by the Lords Spiritual and Temporal in Parliament assembled, *That the Constable of his Majesties Tower of London, his Deputies, shall receive the Bodies of* James *Earl of* Salisbury, Anthony *Earl of* Shaftsbury, *and* Philip *Lord* Wharton, *Members of this House, and keep them in safe custody within the said Tower during his Majesties Pleasure, and the Pleasure of this*

House,

House, for their high Contempts committed against this House: And that shall be your sufficient Warrant on that behalf.

To the Constable of the Tower.

J. Brown, Clerk.

THE four Lords continued in the Tower so long, that the Parliament was several times Adjourned during their Confinement; which his Lordship bore with abundance of patience, and incredible cheerfulness, considering the many weakneſſes and infirmities of Body he then laboured under. They expected to have been releaſed, at leaſt of courſe, by Prorogation; but Adjournments was ſo much in uſe at that time, that it made them deſpair of being relieved that way; wherefore finding no end of their Captivity, they looked upon the procuring their Liberty to deſerve as much care as others took to retain them in durance; to which end, they, each of them, choſe the method he judged moſt proper.

The Duke of *Buckingham*, the Earl of *Salisbury*, and the Lord *Wharton*, upon their application to his Majeſty by a Peti-

tion,

were enlarged: But *Shaftsbury* could not come off so, for having made his Addresses to his Majesty in an humble Petition to be restored to his Liberty and the favour of his Majesty, he found the Royal Ear deaf to his Suit, and no relief to be obtained that way.

Whereupon, his Lordship applied himself to the Court of *Kings-Bench*, the constant Residence of his Majesties Justice, whither he was brought *Wednesday, Jan.* 17. 1677. upon the Return of an *Alias Habeas Corpus*, directed to the Constable of the Tower; and there being some dispute about the sufficiency of the Return, his Council prays to have the Return filed, and *Friday* appointed to debate the sufficiency of it; which being granted, the Earl was remanded back again unto the Tower.

On *Friday*-morning his Lordship was brought up again, and then the Case was strongly and learnedly argued on both sides; and after the discussing the point about the sufficiency of the Return, then Mr. *Williams*, Mr. *Wallop*, and Mr. *Smith*, who were Council for his Lordship, gave divers weighty Reasons in the Earls behalf, that the Court might and ought to relieve him.

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The Attorney and Solicitor General argued the contrary; shewing divers Causes why that Court could not relieve a person committed by Parliament. So soon as they had done, the Earl stood up, and in an Elegant Speech spake for himself, and directing himself to the Court, delivered himself to this Effect:

MY LORDS,

I Did not intend to have spoken one word in this business, but something hath been objected, and laid to my charge by the Kings Council, Mr. Attorney, *and Mr.* Solicitor, *that inforces me to say something for your better satisfaction. They have told you, that my Council in their Arguments said, That this Court was greater than the House of Peers; which I dare to appeal to your Lordships and the whole Court, that it was never spoken by them, I am sure it was not spoken by any direction of mine: What is done by my Council and by me, is, That this Court is the most proper place to resort unto in those Cases where the Liberty of the Subject is concerned. The Lords House is the Supream Court of Judicature in the Kingdom, but yet there is a Jurisdiction which the Lords House do not meddle with. The Kings Council mentioned as a*

wonder,

...der, that a Member of the Lords Houſe ...ld come hither, and thereby diminiſh the ...ſdiction of that Court. I acknowledge ...m to be ſuperiour to this, or any Court in ...gland. To whom all Appeals, and Writs ...Error are brought; and yet there is a Ju...ſdiction that they do not challenge, and ...ich is not natural to them, or proper for them. ...ey claim not to meddle in Original Caſes, ...d ſo I might mention in other things: And ...do not think it a kindneſs to any Power or ...dy of Men, to give them a Power or Juriſ...ction, which is not natural or proper to their ...ſtitutions. I do not think it would be a ...kindneſs to the Lords, to make them abſolute ...d above the Law, for ſo I humbly conceive ...y muſt do, if it be adjudged that they, by a ...neral Warrant, or without any particular ...uſe aſſigned, do commit me or any man to ...rpetual and indefinite Impriſonment. And ...y Lords, I am not ſo inconſiderable a per...n, but what you do in my Caſe, muſt be Law ...r every man in England. Mr. Attorney is ...eaſed to ſay I am a Member of the Lords ...houſe, and to lay weight on the word Mem...r.

It's true, I am one of them, and no man ...th a greater reverence and eſteem for the ...rds than my ſelf: But I hope, my being

a Peer, or a Member of either House, shall ... lose my priviledge of being an English-man ... or make me to have the less Title to Magna Charta, or the other Laws of English Liberty. My opinion is not with one of my Council, who argued very learnedly, that the passing an Act by the Kings Royal Assent cannot make a Session, because the usual Promulg was not in it. It was without any instruction of mine, that he mentioned that Point. The Kings Council tells your Lordships of the Laws, and Customs of Parliaments; and if this were so, I should submit; but this Case of mine, is primæ impressionis; and it is a new way, such as neither Mr. Attorney, nor Mr. Solicitor, can shew any President of; and I have no other remedy or place to apply myself to, than the way I take.

Mr. Attorney confesseth, that the Kings Pleasure may Release me without the Lords; if so, this Court is Coram Rege; This is the proper place to determine the Kings Pleasure. This Court will and ought to judge of an Act of Parliament null and void if it be against Magna Charta, much more may it judge an Order of the House that is put in Execution to deprive any Subject of his Liberty. And if this Order or Commitment be ... Judgment, as the King's Council affirms, then ...

out of the Lords hands, and properly be-
your Lordships, as much as the Acts
ch were lately passed, which I presume
will not refuse to Judge of. Notwithstand-
Mr. Attorney General saith this Parlia-
ent is yet in being, yet I take it something
that he tells me I might have applied
elsewhere.

My Lords, they speak much of the custom of
Parliament, but I do affirm there is no custom
Parliament, that ever their own Members
ld be put out of their own power; and the
nveniences will be endless.

Mr. Attorney was pleased easily to answer
Objection of one of my Council, if a great
nister be so committed, he hath the Cure of
Pardon, a Prorogation, or a Dissolution;
t if the Case should be put, why forty Mem-
rs, or a greater number, may not as well be
ken away, without Remedy in any of the
ng's Courts, he will not so easily answer.
d if there can be no relief in this Case, no
an can foresee what will be hereafter.

I desire your Lordships well to consider
hat Rule you make in my Case, for it will be
e president that may in future Ages concern e-
ry Man in England. My Lord, Mr. At-
rney saith, you either can release or remand
. I differ from him in that Opinion; I do

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not insist upon a Release; I have been a P
soner above five Months already, and w
hither of necessity, having no other way to
my Liberty, and therefore am very willing
tender your Lordship Bail, which are s
near the Court, as good as any are in Englan
either for their Estates or Qualities; and
am ready to give any sum or number.

My Lords, this Court being now possest
this business, I am now your Prisoner.

The Court having heard all that co
be said, *pro* and *con*, on both sides, deliver
their Opinions *Seriatim*. One of
Judges indeed was not there in Perso
but he adventured however (to shew
exactness of his Justice) to depute Jud
Jones to speak for him when it came to
turn, and declare (although he had
heard what his Lordships Council, or hi
self, could say) that it was his Opinion
his Lordship ought to be remanded: a
the rest of the Court unanimously concu
ring with the Opinion of their absent Br
ther, he was by them remanded back a
gain to the *Tower* accordingly.

And thus his Lordship, being denie
redress in the Court of *Kings-Bench*, r
mained a Prisoner in the *Tower*, until th

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following; and then on the four-
of that Month, the *Parliament* be-
ing sitting, he presented a Petition to
House of Lords, wherein he makes a ve-
humble submission, both to His Maje-
and the *House of Peers*: but they obje-
against the Petitions he had presented
his Majesty, as not having made a satis-
ory acknowledgment of his Crimes, af-
some debate, rejected this Petition.

Whereupon the weak condition he was
brought into, by his confinement, re-
ing speedy enlargement, he presented
ther Petition to his Majesty, and like-
to the *House of Lords*, in both which
renewed his Supplication to be released
his imprisonment. And not onely
owledged with all humble submission,
his endeavouring to maintain the
Parliament's being Dissolv'd was an ill-ad-
Action; (and so must every Man
owledg, who will strive in vain to sail
inst Wind and Tide,) but in the most
missive Terms assured them, that he
ready to make what further acknow-
gment and submission they should re-
ire, and that in the way and manner too
ich they should please to direct; yet, un-
unate Earl, he could not obtain his

Liberty

Liberty upon these Terms neither, another pretence being then laid hold on, for prolonging his Imprisonment; What was the horrid Crime of endeavouring enlargement by applying himself to the Court of *Kings-Bench*, in order to his being admitted to Bail. And yet, a certain Gentleman in the World, who had at that time a mighty influence upon Affairs, and improved this imaginary fault as much as possible to the prejudice of the Earl, hath since that time, been himself, guilty of the supposed Crime. And not only so, but hath rendred himself also more pertinacious therein, by his reiterated applications to that Court, to take Bail for him.

His Lordships second Petition to the House of Lords, *was as follows*:

To the Right Honourable the Lords Spiritual and Temporal in Parliament Assembled.

The humble Petition of *Anthony* Earl of *SHAFTSBURY*,

Sheweth,

THat your Petitioner on the 16th. Feburary, 1676. was committed Pri-

soner

to the Tower *of* London, *by your Lord-*
because he did not obey your Lordships
where he hath continued in close con-
ment, to the great decay of his Health, and
ger of his Life, as well as prejudice of his
ate and Family. In all humble Obedience
efore unto your Lordships, he doth acknow-
ge, That his endeavouring to maintain that
Parliament is Dissolved, was an ill-ad-
ed Action, for which he humbly begs the
don of the King's Majesty, and of this most
nourable House; and doth in all humble
y and Observance to your Lordships, be-
you to believe that he would not do any
willingly, to incur your displeasure.
Therefore your Petitioner, in all humble
y, and Obedience, both to His Majesty,
your Lordships, hath made his humble
nission and acknowledgment, in his most
ble Petition unto the Kings most Sacred
jesty, and is ready to make his further sub-
ion to His Majesty, and this Honourable
se, according to the direction thereof. And
doth most humbly implore your Lordships,
you will be pleased to restore him to your
our, and discharge him from his Imprison-
t.

And your Petitioner, &c.

SHAFTSBURY.

This

THis Petition being read, the Lo
Chancellor acquainted the Hou
that his Majesty had received a third Pe
tion from the Earl of *Shaftsbury*, mu
submissive than the two former. But
Majesty understanding that he had ende
voured to free himself from the censure
this House, by appealing to the *King*
bench, to have their judgment thereupo
during the late Adjournments, doth no
think fit as yet to signifie his pleasure
to his discharge, until this House hath t
ken that matter into consideration.

Upon which the Lords refusing to ma
an Address to his Majesty for his Lor
ships discharge, entered into a Debate co
cerning his Appeal from their House to t
Kings-bench, for an *Habeas Corpus*: b
not being able to come to any resolutio
about it that day, the next day it was r
sumed again, and the Records of t
Kings-bench produced, by which it did a
pear, that two Rules of Court had be
obtain'd upon the motion of his Lordsh
Council, and the Returns thereupon we
read; by which it did appear, that t
Earl had been committed the 16th of F
bruary 1676. for a Contempt committ
again

ainſt the *Houſe of Lords*, and then the mittuare of the Earl to the *Tower* was ad. After this a Petition from his rdſhip to the Houſe was read, wherein he ok notice of an Order of the Houſe, for nging thither the Records of the *Kings* Court, concerning the matter of an *beas Corpus* brought by him; acquaint- g them, that he took himſelf to be ve- much concern'd, that they ſhould enter to a Debate of that nature in his ab- nce, ſince he had an undoubted Right to preſent, and plead for himſelf, when a bate of any new matter againſt him was rred upon: and that although he could t pretend but that there might be a pro- bility of his having err'd for want of a ſident to guide him, and being deprived the benefit of Council, by reaſon of his le confinement, yet he reſolved not to any thing willingly that might in the ſt offend his Majeſty or their Lordſhips; d therefore humbly laid hold of that op- rtunity to give further Evidence there- by caſting himſelf at their Lordſhips t; and as he humbly begg'd the Pardon his Majeſty, ſo he alſo implored the giveneſs of their Lordſhips, for offending em in any thing whatſoever.

The Debate was somewhat long, but at last it came to this issue:

They resolved and declared, That it was a Breach of the Priviledge of that House for any Lord, committed by them, to bring an *Habeas Corpus* in any inferior Court, to free himself from that imprisonment during the Session of Parliament; and that the Earl of *Shaftsbury* should have liberty to make his full defence, notwithstanding the Resolution and Declaration aforesaid.

Friday, Feb. 22. the Lords directed a Warrant to the Constable of the *Tower*, to bring his Lordship to their Bar on the *Monday* following. The Earl of *Northampton*, then Constable of the *Tower*, accordingly brought him, where, kneeling at the Bar, he received an account from the Lord Chancellor, of the Resolutions of the Lords, concerning his Appeal to the Court of *Kings-bench*; whereupon his Lordship stood up, and made his reply, to this effect:

MY LORDS,

I have presum'd to present two Petitions to this Honourable House. The first your Lordships mention. I do again here personally renew,

T T

...ow, humbly desiring that I may be admitted to make that humble submission and acknowledgement your Lordships will please to ...der. And that after a twelvemonths close ...risonment to a man of my Age and Infirmities, your Lordships will pardon the folly and ...advisedness of any of my Words or Actions. And as to my second Petition, I most humbly thank your Lordships for acquainting me with your Resolution and Declaration in the point; and though Liberty be in it self very desirable, and as my Physitian (a very learned man) thought absolutely necessary to the preservation of my Life, yet I do profess to your Lordships, upon my Honour, that I would have perish'd, rather than have brought my Habeas Corpus, had I then apprehended or been inform'd that it had been a breach of the Priviledge of this Honourable House: It is my Duty, it is my Interest to support your Priviledges; I shall never oppose them. My Lords, I do fully acquiesce in the Resolution and Declaration of this Honourable House; I am not about to justifie my self, but cast my self at your Lordships feet, acknowledge my Error, and humbly beg your Pardon, not onely for having brought my Habeas Corpus, but for all other my Words and Actions.

Then was one *Blany* called into the House, who had delivered a Paper to the Lord Treasurer, pretending to give an account of some words spoken by his Lordship in the Court of *Kings-bench*, when he moved to be bailed there. But though this whole Transaction was no longer than since last *Hillary* Term, yet *Blany* could not affirm that what was written in the said Paper was really spoken by his Lordship; so that the Treasurer not being able to make any thing of *Blany*'s Story, (which was an hard case, that so much pains should be taken to so little purpose) the *House of Lords* proceeded to a Resolution in what form his Lordship should make his submission and acknowledgment: which being drawn up, imported much the same with which he had before declared; which being read to him by the Lord Chancellor, his Lordship repeated the same at the Bar, and then withdrew.

Whereupon the House ordered, That the Lords with white Staves should wait upon his Majesty, and acquaint him the House had received satisfaction from his Lordship in the matter of the *Habeas Corpus*, and the other Contempt for which he stood committed, and were become humble

Suters to his Majesty, that he would be pleased to discharge him from his Imprisonment: and that their Lordships acquaint the House with his Majesties Answer. All which was done accordingly, and the Lord Treasurer reported to the House, That the Lords with white Staves had waited upon his Majesty, according to their Lordships Order; And that his Majesty was pleased to make this answer, *That he would give order for his Lordships discharge*; which was accordingly performed, and his Lordship, by regaining his liberty, made more capable of serving his Majesty and the *Protestant* Religion, against the dark and mysterious designes which were then carrying on against both.

But although the Lords proceeded with much rigour and severity against his Lordship (who deserved to have been more kindly dealt withal by any who pretend to any Loyalty to their Prince, since he made so considerable a Figure, and had so great a share in the contriving and management of the happy Revolution in 1660.) when they were in an unusual heat, artificially kindled, and carefully blown into a flame by some unseen hand, who secretly manag'd the Bellows: yet

when that heat had spent it self, and the House acted with more freedom and deliberation, they acknowledge the wrong and injury done to his Lordship and the other Noblemen, who were committed upon that account; and to prevent that illegal proceeding from being made use of as a President in future times, they damned the several proceedings thereon, by ordering the Commitment, and all things that concerned that Affair, to be expung'd and raz'd out of their Journal Books; that so, if possible, the very memory of them might be extinguished.

And thus this Illustrious Peer did at length regain his Liberty, although somewhat sooner, perhaps, than his Popish Enemies desired, or expected he should: but not without being severely burlesqued, by a second *Advice to the Men of Shaftsbury*. Written by the Author of the former; hoping by a frequent and unwearied charging him with many fictitious Crimes, slyly insinuated, and audaciously affirmed, with all the confidence and formality imaginable, they should at length get them believed to be real ones. The whole Composition, both of this, and the former Advice, was made up of nothing in the

World,

World, but malice and revenge, carefully infused into the mercenary wretch, by the same aspiring Favourite, who had improved the Earls Application to the Court of *Kings-Beneh*, into a Crime; and were imbibed by him, with all imaginable greediness, hoping thereby to relieve his wants, and supply his necessity; and as liberally cast out in those two scurrilous Libels, to poyson and infect the froth of the Town, and the scum of the Universities: and that they might be the more successful, the Name of the Author is carefully concealed, not from any sparks of modesty, but that he might thereby with the more advantage, and security, exercise his Impudence, in defaming the Earl: wisely considering, That if his Name (which justly deserves to be Intomb'd, and Rot in his own infamy) should have been prefixed to them, it would certainly have spoiled the Design, by making it appear too bare-fac'd. And indeed, it redounds very much to the Earls Honour and Renown, that his Enemies could procure no other to Write against him, than one, whose Pen had been so long imployed against his Soveraign.

But notwithstanding all those devices, the Earls Honour and Reputation was

above the reach of their malice, as well as his Loyalty had been above the reach of their poyson and infection. Nor was he thereby discouraged from opposing the Designs of the Papists, as vigorously as ever; but endeavoured notwithstanding, in the several Sessions of Parliament, to procure the passing such wholsome Laws, as might restrain Debauchery, and secure us against the growing Designs of *Rome* and *France*; which tended to undermine the Protestant Religion, the interest of the *English* Nation, and prejudice and endanger His Majesties Person and Government. But more especially those two admirable Bills; The first whereof provided, That no Papist should hold any Offices, or enjoy any places of profit or trust, either *Civil* or *Military*: upon which His Royal Highness laid down several great Offices and Places, which were held and enjoyed by him. And the second, for the disabling any Papist from sitting as a Member in either Houses of Parliament, although this latter could not pass without a *Proviso*, that it should not extend to the Duke of YORK.

However, these Acts of Parliament did not prevent their proceeding in those mon-

monstrous Designs, which they had so long been forming in their secret Cabals; To Murther the King, subvert the Government, Massacre the Protestant Nobility and Gentry, extirpate the Protestant Religion, and introduce Popery into this Kingdom. Having for that purpose, maintained Correspondence with a Neighbouring Prince, procured Indulgences from *Rome* to dispence with their taking the Oaths of *Supremacy* and *Allegiance*, together with all other *Tests*, when it should be necessary for the managment of their Affairs; collected Money, appointed Officers, delivered out Commissions, procur'd a Bull from the Pope for the Excommunicating of His most Sacred Majesty; held divers Consults at *Wild-House*, the *White-Horse*-Tavern, and several other places, to consider of the methods which they were to take in this Conspiracy, and appoint every one the part which he was to act in the Plot. Wherein those vile Miscreants, and Traytors, with an Hellish Impudence, adventur'd to Declare the best of Kings to be Excommunicated, and Condemned as an *Heretick*, by the pretended Power of the Pope, to lose both his Crown and Life, together with all the Protestant

Nobility, Gentry, and Commonalty of *England*, who had rendered themselves any way obnoxious, by their endeavours to suppress Popery, especially His Grace the Duke of *Monmouth*, and the Earl of *Shaftsbury*. Nor were their Designs discovered till they were just ready to be put in Execution; all things being in as much readiness, as they were in the *Gunpowder Treason* against King *James*.

But yet, the watchful Providence of the Almighty, by whom (and not by that Grand Impostor at *Rome*) Kings Reign and Princes Decree Justice, it was seasonably discovered, to their amazement and confusion, whereby they were driven to the very depths of despair; fearing that their Villany being so plainly discovered, and their Cruelty and Treason exposed and undeniably proved by *Coleman*'s Letters, *Godfrey*'s Murther, *Arnold*'s Assassination, &c. they should never be able to clear themselves, and retrieve their Plot. However, they Resolved to attempt both the one and the other, by charging his Lordship, and others who had been the most Zealous Prosecuters of the Plot, not only of having invented this Plot, which they affirmed was altogether a fiction, but also wit-

with carrying on a Treasonable Design against the King's Majesty, under colour thereof.

The Plot being thus discovered, his Lordship being moved by a Principle of Loyalty to His Majesty, Love to his Country, and Zeal to the Protestant Religion, endeavoured to the utmost of his power, to have it narrowly enquired into, and searched to the bottom, that so the mischievous Consequences of it might be the better provided against; and the King's Person and Government, the Protestant Religion, and the *English* Nation, might by an early Provision, be secured against the like attempts for the future, as well as the present frustrated: which so much enraged them, that it added fuel to their malice, and sharpened their desire of accomplishing his ruine. Assuring themselves, as the Lords in the *Tower* told Mr. *Dangerfield*, That if they were as well rid of him, as they were of Sir *Edmondbury Godfrey*, they should then be able to conquer all difficulties, stifle the Popish Plot, and bear down all before them. Wherefore, finding him the greatest hinderance to their Designs, and the most active Man in prosecuting their Plot, they entered into a Re-

Resolution to dispatch him into another World: as was affirmed by ---- Messenger, Gentleman of the Horse to the Lord *Arundel* of *Warder*, about three Weeks, or a Month, before Mr. *William Staydey* was apprehended: even so early did they begin their Designs of Murthering him, for endeavouring to expose their Plots. And not long after, *Staydy* and *Matisson* being together at the *Crutch-Keys* Tavern in *Covent-Garden*, Declared, That to prevent the severities which might be the event of this discovery, they must take a speedy course to destroy some particular persons, who were the most active Men at that juncture of time; and that it was resolved on to kill the Earl of *Shaftsbury*, as being the great encourager and influencer of the rest: not long after which, *Matteson* pull'd a Pistol out of his Pocket, in Mr. *Praun*'s Shop, affirming he would therewith do *Shaftsbury*'s business, having provided the same for that purpose; several others also assure Mr. *Praun*, that they would speedily be destroyed.

But after this, their rage was heightned, and they supposed the Earl was obliged to a greater vigilancy in accomplishing his ruine, upon the account of a Speech which

was

was said to be spoken by him in the *House of Lords, March* 29. 1679. upon occasion of the Houses Resolving it self into a grand Committee, to consider of the State of *England*, which was to the following Effect.

MY LORDS,

YOU are now appointing the consideration of the State of England, *to be taken up in a Committee of the whole House, some day the next Week. I do not know how well what I have to say may be received, for I never study either to make my Court well, or to be popular; I always speak what I am commanded by the dictates of the Spirit within me. There are some other considerations that concern* England *so nearly, that without them you will come far short of Safetie and Quiet at home. We have a little Sister and she hath no Breasts, what shall we do for our Sister in the day when she shall be spoken for? If she be a Wall, we will build on her a Palace of Silver; if she be a Door, we will inclose her with Boards of* Cedar. *We have several little Sisters without Breasts, the Reformed Protestant Churches, the two Kingdoms of* Ireland *and* Scotland; *the Forreign Protestants are a Wall, the only Wall and*

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Defence to England; upon it you may build Palaces of Silver, glorious Palaces. The protection of the Protestants abroad, is the greatest power and security the Crown of England can attain to, and which can only help us to give check to the growing greatness of France. Scotland and Ireland are two Doors, either to let in good or mischief upon us; they are much weakned by the Artifices of our cunning Enemies, and we ought to enclose them with Boards of Cedar.

Popery and Slavery, like two Sisters, go hand in hand; sometimes the one goes first, sometimes the other: but wherever the one enters, the other is always following close at the Heels.

In England Popery was to have brought in Slavery; in Scotland Slavery went before, and Popery was to follow. I do not think your Lordships or the Parliament have Jurisdiction there. It is a Noble and Ancient Kingdom; they have an Illustrious Nobility, a Gallant Gentry, a Learned Clergy, and an understanding, worthy People: but yet we cannot think of England as we ought, without reflecting on the condition thereof. They are under the same Prince, and the influence of the same Favourites and Councils: When they are hardly dealt with, can we that are

Richer

Subject expect better usage? For 'tis certain, that in all absolute Governments, the poorest Countries are most favourably dealt with. When the Ancient Nobilitie there cannot enjoy their Royalties, their Shrievaldoms, and their Stewardies, which they and their Ancestors have possessed for several hundred years, but that now they are enjoyn'd by the Lords of their Council to make Deputations of their Authorities to such as are their known Enemies, can we expect to enjoy our Magna Charta long, under the same persons and Administration of Affairs? If the Council-Table there can imprison any Nobleman, or Gentleman, for several years, without bringing him to Tryal, or giving the least Reason for what they do: can we expect the same men will preserve the Liberties of the Subject here?

My Lords, I will confess that I am not very well vers'd in the particular Laws of Scotland; but this I do know, that all the Northern Countries have by their Laws an undoubted and inviolable Right to their Liberties and Properties: yet Scotland hath now done all the Eastern and Southern Countries, in having their Lives, Liberties, and Estates subjected to the Arbitrary Will and Pleasure of those that Govern. They have lately plundered and harassed the richest and weal-

wealthiest Countries of that Kingdom, and brought down the barbarous Highlanders to devour them; and all this almost without a colourable pretence to do it: Nor can there be found a Reason of State for what they have done, but that those wicked Ministers designed to procure a Rebellion at any Rate; which as they managed it, was onely prevented by the miraculous hand of God, or otherwise all the Papists in England would have been armed, and the fairest opportunity given, in the nick of time, for the execution of that wicked and bloudy Designe the Papists had: and it is not possible for any man that duly considers it, to think other, but that those Ministers that acted that, were as guiltie of the Plot as any of the Lords that are in Question for it.

My Lords, I am forced to speak this the plainer, because till the pressure be fully and clearly taken off from Scotland, 'tis not possible for me, or any thinking man to believe that good is meant us here. We must still be upon our guard, apprehending that the Principle is not changed at Court, and that those men that are still in Place and Authority, have that influence upon the mind of Our Excellent Prince, that he is not, nor cannot be that to us that his own Nature and Goodness would incline

decline him to. I know your Lordships can order nothing in this; but there are those that hear me which can put a perfect cure to it; until that be done, the Scotish *Weed is like Death in the Pot,* Mors in Olla. *But there is something too, now I consider, that most immediately concerns us; their Act of Twenty two thousand men to be ready to invade us upon all occasions. This I hear that the Lords of the Council there have treated as they do all other Laws, and expounded it into a standing Army of Six thousand men. I am sure we have Reason and Right to beseech the King, that that Act may be better considered in the next Parliament there. I shall say no more for* Scotland *at this time; I am afraid your Lordships will think I have said too much, having no concern there: But if a* French *Nobleman should come to dwell in my House and Family, I should think it concerned me to ask what he did in* France; *for if he were there a Felon, a Rogue, a Plunderer, I should desire him to live elsewhere: and I hope your Lordships will do the same thing for the Nation, if you find cause.*

My Lords, Give me leave to speak two or three words concerning our other Sister, Ireland: *Thither I hear is sent* Douglas's *Regiment, to secure us against the* French. *Besides,*

sides, I am credibly informed that the Papists have their Arms restor'd, and the Protestants are not many of them yet recovered from being the suspected Party. The Sea-towns, *as well as the* In-land, *are full of Papists: This Kingdom cannot long continue in the* English *hands, if some better care be not taken of it. This is in your power, and there is nothing there but is under your Laws. Therefore I beg, that this Kingdom at least, may be taken into consideration, together with the State of* England; *for I am sure there can be no safety here, if these Doors are not shut up and made sure.*

But his Majesty had another kind of esteem for his Lordship: for not long after the making of this Speech, having Dissolv'd his Privy Council, and chosen a new one, he was pleased to constitute the Earl President thereof; a Place so considerable for Honour and Trust, that it hath not been enjoyed by any Subject for many years; and was improv'd by him as much to the advantage of his Majesty and the Protestant Interest, as possible.

And when the Bill for excluding the Duke of *York* had passed the *House of Commons*, as the onely Expedient they could

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did out to suppress the Designes of the Papists, and prevent their ever introducing the Popish Religion into *England*; they sent it up to the *House of Lords*, where his Lordship was one of those Honourable Lords who voted for its passing that House, in order to its being offered to His Majesty for His Royal Assent.

The *Grand Jury* returned for the Hundred of *Osalstone* in the County of *Middlesex*, on *June* 2. 1680. finding the Constables defective in not presenting the Papists as they ought; it was ordered they should make further Presentments by the 16th of that Instant, upon which day they met again to receive them, when likewise a Bill against *D. T.* for not coming to Church, was brought before them, together with the following Reasons for his being indicted, subscribed by the persons undernam'd.

First, Because the 25th *Car.* 2. when an Act was made to throw Popish Recusants out of all Offices and Places of Trust, the Duke did then lay down several great Offices and Places, (as *Lord High Admiral of* England, *Generalissimo of all His Majesties Forces* both by Land and Sea, *Governour of the Cinque-Ports*, and divers others)

others) thereby to avoid the punishment of that Law against Papists.

Secondly, 30 *Car.* 2. when an Act was made to disable Papists to sit in either *House of Parliament*, there was a *Proviso* inserted in that Act, That it should not extend to *D. Y.* on purpose to save his right of sitting in the Lords House, though he refused to take those Oaths which the Protestant Peers ought to do.

Thirdly, That His Majesty in His Speech *March 6.* (the 31th year of his Reign) did give for a Reason to the Parliament why he sent His Brother out of *England*, (*viz.*) because he would leave no man room to say, that he had not remov'd all cause which might influence him to Popish Councils.

Fourthly, That there hath been diverse Letters read in both *House of Parliament*, and at the secret Committee of both Houses, from several Cardinals and others at *Rome*, and also from other Popish Bishops and Agents of the Pope in other forraign parts, which do apparently shew the great Correspondencies between him and the Pope; and how the Pope could not chuse but weep for joy at the reading of some of his Letters; and what great satisfaction

...s to the Pope to hear that he was ad-
...ced to the Catholick Religion; as like-
...e that the Pope hath granted him
...ffs, sent him *Beads*, and ample *Indul-*
...*ences*, with much more to this purpose.

Fifthly, The whole *House of Commons* ...h declared him to be a Papist in their ...otes, *Sunday*, *April* 6. 1679. wherein ...y resolv'd *nemine contradicente*, that the ...uke of *York*'s being a Papist, and his ...opes of coming such to the Crown, had ...en the greatest countenance and encou-...gement to the present Conspiracy and ...ngnes of the Papists against the King ...d the Protestant Religion.

Sixthly, That besides all this Proof, and ...ch more to this purpose, it is most no-...ious and evident, he hath for many ...ars absented from Protestant Churches, ...ring Religious Worship.

These are the Reasons why we believe ...m to be a Papist. This was subscribed, ...d delivered by his Lordship, together ...th the Earl of *Huntington*, and the Lords ...y of *Wark*, *Russel*, *Cavendish*, *Brandon*, ...d *Wharton*; as also by Sir *William Cow-* ...Baronet, Sir *Gilbert Gerrard* Baronet, ... *Edward Hungerford* Knight of the ...th, Sir *Scroop How*, *Thomas Thynn* Esq; *Wil-*

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liam Forrester Esq; and *John Trenchard* Esq;

But whilst the Jury were in debate of the matter, they were sent for up by the Court of *Kings-bench*, and dismist; so that nothing was done upon it, more than the Juries having received the Presentment. Wherefore, on *Wednesday*, *July* 30. the former Lords, Knights, and Gentlemen, with the addition of the Lord *Clare*, Sir *John Cope* Baronet, Sir *Rowland Gwynne*, and Mr. *Wandsford*, presented the same to a second *Grand Jury*, who were discharged as the former.

But whilst his Lordship was thus vigorously prosecuting the Popish Plot, in the face of danger, the Papists were as vigilant in contriving his ruine, though with somewhat more secrecy and silence; resolving to seize the Prey before they gave the least Alarm or Notice of their intention, as appear'd by their close Caballistical Designs carryed on against this Earl, and all the rest of the Protestant Nobility and Gentry in *England*; wherein Mr. *Dangerfield* was a considerable Agent, having been for that purpose fetcht out of *Newgate* by the Papists, who hoping to reap a vast advantage by having him to manage their

Affairs

Affairs, willingly disburst a large sum to discharge his Debts. The first sanguinary work they employed him in was, to attempt the Murther of his Lordship, promising him 500 *l.* for so acceptable a service (as they apprehended it to be). He inquired the reason why they thirsted after his life, and how there might be any probable way proposed whereby it might be accomplished? To which it was answered, That as to the first, they should be glad to have him out of the way, because if they were rid of him, as they were of Sir *Edmondbury Godfrey*, it would be no difficult thing to bear down all the rest of their Opposers. As to the second, they affirmed it to be as safe as desirable, since, that the Lord *P——r*, my Man *Wood* was at *Thanet*-house, two nights since, upon pretence of an Errand; but his business was to view the house, and observe what conveniencies there were to make his escape after the fact was done: assuring me that *Wood* found the thing so feasible, that after he came back, he declar'd himself sorry that he was not provided to have done it then. And to encourage him to undertake this sanguinary Enterprize with the more chearfulness, he gave him ten

Guinnies

Guinnies in hand, as an assurance that the full reward should be paid so soon as the fatal stroak should be given. Promising moreover, that Mr. *Regant*, a *Virginia* Merchant of Mrs. *Cellier's* acquaintance, should come to him on *Sunday* following, to instruct him in the most dexterous and probable means of putting the Deligne in execution, and secure the payment of the 500 *l.*

All things being thus agreed on, the Lord *P----s* took him by the hand, and wished him good success; and to render him the more pliable and active in the designed Tragedy, he was sent first to the Lord *Castlemain*, then to *Sharp* the Priest, and last of all to *Jack Gadbury* the Fortune-teller: by all whom he was severely schooled, for not complying with the Popish Lords in their command to kill the King, insolently upbraiding him with horrid ingratitude in refusing to perform that for which he was taken out of Prison, and maintained in so much splendour ever since; Hoping that this chiding might raise in him a magnanimous Resolution to regain the Credit he had lost by that refusal, by a resolute perpetrating the Murther of his Lordship.

Da

Dangerfield being thus prepared, on the ...day following *Regan* came to Mrs. *Cel-...r*, and having first dined together, he ...e him general directions how to ac-...mplish the Murder, demanding how he ...would order the Mony to be paid, when ...had performed the enterprize? telling ...m, that if he pleased, it should be brought ...Guinneys, and left with Mrs. *Cellier*, for ...m; but he disliking the way, desired, ...hat when *Regan* heard that the Lord ...*ftsbury* was Dead, and should receive a ...ote from him, that then he would im-...diately pay the Mony for his use; which ...promised should be done accordingly. ...ordered him to attend on *Sharp*, and ...e others, for more particular instructi-... how to Act this Tragedy. He atten-...d upon them several times, before they ...ld resolve what method he should take. ...wever, to prevent his flagging, he was ...manded by the Conspirators to repair ...*Knowles* the *Priest*, to confess, and re-...e the Sacrament; which he did at ...*owles*'s Lodging, at a *Coffee-House* in ...*te-friars*, from whom he received some ...ctions how to proceed in the Murther; ...*Dangerfield* telling him that they were ... and impracticable, *Knowles* sent him to

the Lady *Abergavenny* telling him that she was a Witty Lady, and had some Correspondence with the Lord *Shaftsbury*, and therefore was the more capable of advising him. Wherefore he presently repared to her Lodgings at the House of Mr. *Griffin* in great *Lincolns-Inn-Fields*, where he found easie admittance into her Ladyships Chamber, upon sending in word that he came from *Knowles*. So soon as he entered, he acquainted her who he was, and the business he waited upon her Ladyship about. Sir, said she, I have received a very good Character of you, and therefore think my self obliged to return you thanks for the extraordinary diligence wherewith you have managed our business hitherto; and I hope you will proceed with the like care, until you have finished what you have so well begun. As for the taking the Earl of *Shaftsbury* out of the way, it's a thing of no difficulty, it being altogether as easie to kill him, as to kill a Bird on a Tree. Pray Madam, which way shall I do it with so much facility and ease, said *Dangerfield*. Why several waies, replyed the Lady, it may be done; but I would have you pretend to Cure the *Gout*, and my Lord being troubled with that Distemper, I will

commend you to him under that pre-
tence, whereby you will eaſily gain admit-
tance; which having obtained, you muſt
watch your opportunity to diſpatch him.

From thence *Dangerfield* went to
——'s Houſe, and acquainted the Coun-
teſs where he had been, and the ſeveral
Wales which had been propoſed by *Knowles*
and others, for the Murthering the Earl of
Shaftsbury, but more eſpecially the Ladys
Project, as being the more likely way to
ſucceed. To which the Counteſs reply-
ed, It was but a ſilly contrivance, yet per-
adventure it might do. However, ſhe
gave him no order to proceed thereon as
yet. But reſolving, if poſſible, to make
ſure work, they obliged him to charge his
Lordſhip with Treaſon, by making him
one of the Proteſtant Peers whom they in-
tended to charge with a Conſpiracy a-
gainſt the Kings Crown and Life; that ſo
if they failed of Murthering him with their
hands, they might however deſtroy him
with their breath. To which purpoſe, his
name was inrolled in that Liſt which was
found in the *Meal-Tub*, and gave the firſt
light into their Plot, which was more fully
diſcovered by *Dangerfield*'s miſcarrying in
the chief part of their Conſpiracy; (*viz.*)

plucking the Treasonable Papers in Colonel *Manſel's* Chamber, whereby all was ſpoiled for that time. And *Dangerfield* being to wait on His Majeſty, to give him an account of this pretented Plot, the Counteſs of *P——s* gave him directions to lay all the Burthen he could upon the *Presbyterians* in general, but more eſpecially upon His Grace the Duke of *Monmouth*, the Earl of *Shaftsbury*, Lord *Grey* of *Wark*, Lord *Howard* of *Eſcrick*, the Duke of *Buckingham*, and ſome others. And that he ſhould explain to His Majeſty the meaning of the Contents of the ſeveral Papers he had preſented to the Duke (who was the perſon that introduced him to His Majeſty, to make this pretended diſcovery) and how the *Presbyterians* were reſolved to uſe their utmoſt endeavours for the reducing the preſent Government, and ſetting up a Common-wealth once more, and ſetling His Grace the Duke of *Monmouth* therein (a likely buſineſs) and that the Earl of *Shaftsbury*, and other perſons of Honour, were iſſuing out Commiſſions for that purpoſe, and had promiſed ſome to ſeveral perſons.

And having hereby ſecured this Deſign indifferently well, as they thought, and being

ing now come to a Resolution in what method *Dangerfield* should attempt his Lordships Life, they commanded him to repair to *Sharp*, and confess and receive, (it being their common custom to make them receive the Sacrament, an introduction to the horridest Villanies) and the crafty Priest having first palliated the Murther, by urging the necessity of it, and the extraordinary advantage that would thereby redound to their Cause and Party, and so covered the Crime with a Mantle of Religion, that he made it appear meritorious; He then proceeded with abundance of Formality, and Jesuitical Zeal, to Conjure him by all that was good or Sacred, that he should with all possible speed stab his Lordship, so soon as he should receive order from the Popish Lords so to do. He promised he would; and so the impudent Ecclesiastical Villain dismissed him with abundance of costly benedictions, and hearty wishes for the happy success of his enterprizes. And a Letter coming from the Lords in the *Tower*, which commanded him to go that very night, and put their Resolution of stabbing his Lordship in execution, he received instructions not to enter into any discourse with him, when he

had him alone; but after a little Apology for his coming to his Lordship without being sent or introduced by any other person, and desiring to know whether, if it should fall out to be in his power to serve him, he should obtain so much favour of his Lordship, as to find his service acceptable to his work; and then receiving a short *French* Dagger (as he judges it to be) provided for that purpose, by the *Virginia* Merchant, he went immediately to *Thannet*-House, in *Aldersgate-street*, where his Lordship lived, and found admittance with more ease and freedom than he expected; the Earls Innocency rendring him altogether without suspicion. But *Dangerfield* finding divers persons in the Room where his Lordship was, and fearing lest some of them might know him, and thereby he be discovered, he pretended his business required privacy, and humbly desired to speak with his Lordship alone: whereupon he sent him with one of his Gentlemen up stairs, and soon after his Lordship coming himself to know what business he had with him, *Dangerfield* repeated over the story wherein he had been instructed; but his Lordship not knowing what to make of it, entered into some other discourse with him:

but

...but *Dangerfield* perceiving some persons ...to be at the other end of the Room, was ...struck with a suddain horror and fear of ...mind; and the dread of being discovered ...was so terrible to him, that he was in tor...ment to be gone, and presently taking his ...leave return'd, and acquainted those who ...had employed him, that he had been with ...his Lordship, and there being too many ...persons in the Room, he thought it not ...fit to make an attempt upon him at that ...time; but withal to save his Credit, assu...red them the thing was easie to be done, and ...promised to do it the next time he went. ...The next morning early, his Boy went to ...the *Tower* with a Letter, wherein he gave ...an Account to the Lords, that he had en...tered himself at the Earl of *Shaftsbury*'s, ...and promised without fail to dispatch him ...within a few days. The Countess her self ...wrote an Answer to that Letter, and ordered ...*Dangerfield* to go to the King, and acquaint ...His Majesty that he had been at his Lord...ships to make some further discovery of ...the New Plot, and that he should tell His ...Majesty *Verbatim*, what he had said to his ...Lordship, and that he had promised to ...get him an employ, and to take care ...of him. The next morning he went to

the King, and repeated his Lesson accordingly.

About two or three days after, he was ordered by the Conspirators to repair to his Lordship again, and frame a discourse to him, to this or the like effect: (*Viz.*) My Lord, I am now come with something that very nearly concerns both your Lordships Honour and Person: for if your Lordship should be sent for before the King and Council, and there have several Accusations of High-Treason brought in against you, and you should thereupon be committed to the *Tower*, and that the Evidence to maintain those Accusations, should prove Letters written by your Lordships own hand, then I hope you will believe I am your faithful Servant. Having received these Instructions, and the Dagger, he went in the dusk of the Evening, a second time to *Thanner*-House, where sending for Mr. *Shepherd*, one of his Lordships Gentlemen, to the Door, he acquainted him with his desire of speaking privately with his Lord. Mr. *Shepherd* having first acquainted his Lordship therewith, took him into a Room, which *Dangerfield* supposed to be his Lordships Closet; desiring him to stay there, and telling

him

him the Earl would come to him presently.

But as soon as the Gentleman was retired, *Dangerfield* began to look about the room, and found another door besides that at which he came in; and perceiving it lead into the same room where he had been with his Lordship before, he concluded, that if the Earl came into the Closet, he would immediately have stab'd him, having the advantage of two doors to escape by; intending so soon as the fatal stroak had been given, to put out the Candle, and under the colour of lighting it, make his escape. But Divine Providence so ordered it, that his Lordship came not at all into the Room, but after two hours waiting (which he employed in searching many Letters and other Papers which he found in a Table-drawer, putting some of them into his pocket; which when they came to be perus'd, prov'd to be Letters from Sir *Richard Bulstrode* his Majesties Agent at *Brussels*, the Contents whereof imported no more than the then present posture of Affairs in that Country) sent for him into the next: which disappointment so confounded him, that he had no power to proceed in his bloudy determinations:

nations: But having received his Lesson to his Lordship, left him to meditate upon the confused and groundless story, and return'd with a feigned cheerfulness; which made those that had sent him flush with hopes that he had succeeded in his Enterprize: but when they understood the contrary, they were extreamly concern'd, having assured themselves of the like success that they had found in the Assassination of Sir *Edmundbury Godfrey*. And Mr. *Wood* was sent from his Lord to tell him, that of all people he, admired to find him so great a Coward; and that however it was his Lordships pleasure to try him once more, ordering him in the mean time to make the most of those Letters, by repairing to *White-hall*, and acquainting the King with the Discourse he had with his Lordship, and shew the Letters of Sir *Richard Bulstrode* to his Majesty, that thereby he might obtain the greater credit. And lest the Earl should have suspected the Intrigue by missing of his Letters, and be with the King before him, he was commanded to make no manner of delay, but repair immediately to his Majesty; *For*, said he, *if the Earl should be there before you, it may be more prejudicial to you, than perhaps you imagine.*

imagine. He was moreover to tell the King, that a great number of very dangerous Papers relating to the *Presbyterians* Designe, were in the Lodging of Colonel *Mansel*, and desired a Warrant to seize on them.

Upon this, *Dangerfield* went immediately to Mr. *Cheffinch*, who had introduced him to his Majesty once before, and was by him placed in a Room which the King was to pass through; and his Majesty seeing him there, asked him what he had to say to him? He answered according to the instructions he had received, and humbly prayed a Warrant to search the Colonel's Lodgings. His Majesty bid him repair to Mr. Secretary *Coventry*, and acquaint him with the business, who would thereupon grant him a Warrant. Upon this, away went *Dangerfield* to the Secretary, and having first acquainted him with the Story, told him it was his Majesties pleasure he should wait on him for a Warrant: Notwithstanding which, the Secretary absolutely refused to grant him one, unless he would first make *Affidavit* that there were such Papers in the Colonel's Chamber, and what the Contents of them were. But the Gentleman could do neither.

The

The first he could not swear, because the Papers were not then there, but were to have been conveyed thither after the Warrant was obtained; and the second he was afraid to swear, lest the Secretary, who was a very wise and judicious person, should presently apprehend the truth, that they were framed and conveyed thither by himself, since it would have been impossible otherwise to have known the Contents of Letters in a Gentlemans Chamber, with whom he had never exchanged two words in his life: wherefore refusing to make *Affidavit*, he was forced to go away without a Warrant. Whereupon he repaired to a Noble Lord; telling him what had happened; and that he had been twice at the Earl of *Shaftsbury*'s. His Lordship seemed to be well pleased therewith, and promised that when any Forces were raised, he would put in for a Regiment of Horse, and would give him a Troop in the same; but withal, bid him be sure to do the Earls business the third time. However, the Countess of *Powis* and Mrs. *Cellier* were extreamly angry with him for refusing to make such *Affidavit* as the Secretary required for the obtaining a Warrant; telling him, he might safely have sworn

sworn, since he had formerly seen and been at the writing of some of them; and that at the worst it could not be Perjury, because the Oath was not made in a Court of Record: perswading him to make amends for that oversight, by repairing again to *Thanet*-house, and there, without any hesitation or fear, stab the Earl of *Shaftsbury*. He desired to be excused in that Affair, assuring her that his two former disappointments had so discouraged him, that he could not possibly perswade himself ever to make any further attempts in that kind. At which her Ladyship seeming very much concerned, upbraided him with Cowardize, and said she would go her self.---No, Madam, replied Mrs. *Cellier*, that shall not be; for I will go and do the business so effectually, that there shall be no occasion for a second attempt; whereby I will convince the World, that some of our Sex are braver and more courageous and daring, than the men.

Then the Countess asked him if he had learned where Mr. *Mansel*'s Lodgings were? Yes, said he, with a great deal of trouble I have; he lodgeth at *Westminster*. Why then, you timerous person, said she, pray take these Papers and convey them privately into some part of his Chamber, Closet, or Trunks. He told her it was impossible to do that, in regard he had no manner of knowledge of him. You must, said her Ladyship, find out some way or other to get acquainted with him, and then you must invite him to the Tavern, and drink smartly; whereby you may doubtless have an opportunity to lodge the Papers in some part of his Cloaths; and so soon as you have done that, you must immediately, upon pretence that he has spoke Treason, call for a Constable, and get him

appre-

apprehended and searched, and the Papers carried to the King and Council, and so get him committed. *This was to have been the Introduction to their Conspiracy for destroying not only this Illustrious Lord, whose Vertue, and firm and steady cleaving to the Interest of His Majesty, and the Protestant Religion, had rendered him the greatest Object of their hatred and malice, but likewise of all the chief English Protestant Nobility and Gentry, who had any way discovered their Aversation to Popery, by endeavouring to have their Hellish Designes against the Sacred Life of His Majesty, and the Protestant Religion, throughly searched into and prosecuted.*

For upon this he was to have moved the King and Council to have impowered him to search the Lodgings and Houses of several other Gentlemen, (whether they were to have conveyed the like Treasonable Papers.) Then she delivered him fifteen Letters, and a List of Names; but one of the Letters and the List of Names being written by her own hand, she desired him to get them transcribed: which he offering to do himself, was told by her, that it must not be done by him, because they were to be brought before the King and Council, and the King having received from him some Remarks written with his own hand already, would thereby discover the whole to be forged. Wherefore having got a Scrivener over against *Somerset*-house to transcribe them, he went to *Ax-yard* in *Kings-street*, *Westminster*, where inquiring for Lodgings, he was directed to Mr. *Harris*'s, which was the very House where the Colonel lodged: and there, under the feigned Name of *Thomas*, desired to know what Chambers they had to dispose of; and being showed all the

Rooms in the House, none would please him; but the two Rooms up one pair of Stairs; but was told that Colonel *Manly* lodged in them, and therefore they could not be disposed of without his consent, which could not then be obtained in regard he was not at home; so that he could not effect any thing at that time.

Wherefore the Female *Hero* resolving to approve her self the Champion of the Popish Cause, went with a feigned Complement to his Lordship, hoping before her return, to give him a Wound somewhat more fatal than that which she had formerly given to some others of our Sex. But his Lordship, according to his usual custom when he treated with Strangers, kept a strict Eye upon her during the whole time they were discoursing together; and perceiving her to be busily fumbling about her Pockets, he gently laid his hand upon hers, and pleasantly drol'd with her concerning the business she pretended to visit him about; whereat being very much troubled and discouraged, she presently took leave of his Lordship. But being advanced almost as far as the door, and reflecting upon the disgrace she should bring upon her self by having promised never to return but with the happy News of Victory, and yet accomplishing as little or less than *Dangerfield*, whose Cowardize she had exclaimed against with so much scorn and contempt, she suddenly returned towards his Lordship, resolving not to stir from the spot, until she had laid him at her foot. But the Earl seeing her come back, steps to her, and as if guided by the direction of some superiour influence, laid his hand upon hers as before; which so dashed her out of countenance, that she was forced to depart without success. Heaven having

decreed

decreed, that this Illustrious Peer, who had been so useful to the King and Kingdom, should not loose his Life so tamely, and fall a Sacrifice to Papal Rage; Nor that the *English Annals* should ever report to succeeding Ages, that the great *Shaftsbury* was slain by the feeble hand of an Impious Strumpet.

This disappointment heightened their Rage, and made them resolve to hasten the finishing of their Plot, not doubting but to involve him in the common ruine of the rest of the Protestant Nobility. Wherefore *Dangerfield* went presently and took the two Rooms where *Mansel* Lodged, he having consented to remove one pair of Stairs higher, that so he might not hinder the House of so beneficial a Lodger as he seemed to be. And being conducted into the Room where the Colonel was to Lodge, whilst his own was put in order, and fitted for him, he laid hold of that opportunity to place those Treasonable Papers behind the Colonel's Beds-head, and then acquainted the Conspirators with what he had done, who ordered him to go again to the King, and desire a Warrant to search. Accordingly he went to Mr. *Chetwind*, and was by him brought to His Majesty, whom he earnestly solicited for a Warrant: but His Majesty according to His accustomed wisdom, sent him again to *Secretary Coventry*, who being no less suspicious of him now, than he was before, no Warrant was to be obtained from him; whereof the Conspirators being informed, they resolved, That having proceeded so far, they would not be baffled by one difficulty, wherefore they commanded him to repair to some of the *Custom-House* Officers, and pretending to inform them where a considerable quantity of prohibited goods that had been Impor-

ted

[illegible] were concealed, to procure a Warrant to [illegible]rch; which was easily granted, and two Officers [illegible] to search the House: he first carryed them to [illegible] own Room, for the better colouring the busi[illegible], and having searched there and found nothing, [illegible] conducted them into the Colonel's Chamber, [illegible]ho was at that time abroad; where they did, [illegible]pon his assurance that the goods were in that [illegible]oom, make a thorough search, breaking open his Trunks and Boxes, and with the exactest scrutiny imaginable, examined the very Bed-clothes: but no prohibited goods being to be found, they were about to depart, when *Dangerfield* intimating that probably they might be hid behind the Bed, they presently removed it about three foot from the Wall, but could find nothing; whereupon *Dangerfield* stepping forward looked in, and seeing the bundle of Papers lying where he had placed them, presently cryed, *What's that lies there?* whereupon one of the Officers taking it down and opening it, he presently snatched one of the Papers (which was the List of Names, some Written at length, and others only the two first Letters) and cryed, *Here's Treason!* The Searcher opening another, and beginning to read therein, *Dangerfield* cryed out again, *There's Treason likewise in that Paper against His Majesty, wherefore the Papers ought to be all seized, and the person who owns them, if he were present, to be secured:* perswading them to carry the Papers to some *Secretary* of State. However, they knowing better what belonged to their own Office, than that of a Justice of Peace, refused so to do, but carryed them to their own Masters at the *Custom-House*, whereof he informed the Conspirators; who fearing lest by that means their Design might be spoiled, and their hopes frustrate, ordered

dered him to go forthwith and tell the King the manner how he had caused the Papers to be seized, which he did; and His Majesty sent him to call Mr. Secretary *Coventry*, to give some order about it. Which done, he returned and acquainted Mrs. *Cellier* and the Countess what he had done, and that he had the honour to be in a Room alone with his Majesty. Oh what an opportunity have you lost, says one! And how bravely might he have killed the King, says the other, if he had been provided! And yet these vile Miscreants, who could lament *Dangerfield*'s not perpetrating so horrid a Crime, have the impudence to call themselves Loyalists, and are, notwithstanding their disloyal Principles and Practices, believed to be so by some persons in the World, whose pretences to Loyalty and the Protestant Religion, made people expect other things from them.

Mrs. *Harris* being surprized at the finding Treasonable Papers in her House, presently went in search of the Colonel, and having found him, acquainted him with what had happened, perswading him to take Lodgings in the City, and promised to send his things to him, if he would do so. But he rejected her advice as pernicious, and proceeding onely from a Feminine simplicity and timerousness, since his so doing would have been censured as a flight, and that would have argued Guilt, and his personal Guilt would have involved hundreds of other innocent persons in the same Condemnation. Wherefore being assured of his own Loyalty and Innocence, he went to the Custom-house to know by what Authority his Box was seized, and what was become of those Papers which were pretended to be found in his Chambers; and was answered, That they were all returned

to his Lodging again: whereupon getting to-
er the Officers of the Custom-house, the Ma-
and Mistris of the House, and what other per-
were present at the seizure, Justice *Wareup*
their Depositions, and found upon the whole
ter, that it was a malicious Designe to involve
eat number of innocent persons in the Guilt of
ason and Rebellion against His Majesty:
reupon he made out a Warrant for apprehen-
him; which being delivered to a Constable,
went along with him to Mrs. *Celliers*, where
hen, and the St. *Omer's* Novices formerly had
ged; there the Constable and Warrant found
. When he understood their business, he ex-
imed against *Mansel*, saying out, *It was his*
ne, thinking thereby to shuffle off his own
ilt; but it would not do: for he had been
day with the King himself, and with Mr. Se-
tary *Coventry*, and had acquainted them with
business; *And before he gets home*, says he, *there*
ll be inquiry made for him at his Lodging. Well,
the Justice, *your hectoring will not serve your*
n; if you will give security to appear at the
uncil-board *by Nine of the clock to Morrow-*
rning, we will give you no more trouble at this
e; but if not, you must go to Prison. Where-
on *Cellier* and her Son-in-Law entered into Re-
nizance for his appearance at the Council the
t day, which he did accordingly; but as ill
k would have it, he unfortunately met with a
ost unhappy and mischievous Accident: for as
was going down the Council-Stairs he met
h Mr. *D'oiley* an Officer belonging to the Mint,
o knew him, and had formerly prosecuted him
r uttering false Guineys; whereupon being con-
ious of his Guilt, and fearing that the Gentleman
would

would undoubtedly have discovered it to the K
and Council, & thereby have ruined his Credit,
spoil the hopeful Designe he was carrying on;
began, without any kind of provocation, to cur
damn him, demanding what he had to say to hi
and swearing, That if he had him out of the C
he would cut his crown; and threatned, that w
he met him in a convenient place, he would reve
the injury. Whereat *D'oiley* being very much
prized, and seeing Sir *Fr. North*, Lord Chief Juſti
of the Common-Pleas, juſt going to the Coun
he being one of the Members thereof (and as Pr
vidence ordered, came so opportunely as to he
the words that passed between them;) he steps
him, and acquaints him with *Dangerfield*'s Cha
cter, and complained of the Abuse he had th
received from him. As soon as his Lordship ca
into the Council-chamber, he acquainted His M
jesty and the Council therewith; who thereupo
sent to Justice *Warcup*, and ordered him to ta
D'oiley's Depositions concerning *Dangerfield*, a
dering moreover a Messenger to take him into c
stody; which was presently done, and he w
carried to the *Kings-head*-Tavern, whither th
Justice came to examine him as soon as th
Council was risen. But in the mean while h
writ a Note to Mrs. *Cellier*, and ordered her to
acquaint the Lord and Lady *Powis* that he wa
apprehended: for they knew that the Messenge
would not suffer the Note to be sent, until he ha
first read the contents of it; which having done
the Boy carried it according to directions.

The next day Colonel *Manſel* and he being
both called into the Council-chamber, the Lor
Chancellor demanded of the Colonel what Corre
spondencies these were which he held? *Here ar*
Papers,

re, says he, of dangerous consequence, importing ... than the levying Men, and raising Rebellion ... the King; here is also a Catalogue of Names ... you have listed. The Colonel affirmed he ... nothing either of the Letter or List of ...es, nor never did, or ever would hold any ...onable correspondence with any man living; ... humbly prayed the favour of the Court, that ... might be permitted to tell how he came by a ... of those Papers, assuring them that he did ... question but to make it appear that those Pa... were brought into his Chamber by *Danger*...; and upon leave given by the Board, he ... them a full and clear account of the whole ...ter; whereupon he was ordered to call in his ...nesses, which he did. And Mr. *Harris* made ...h, That the Papers then before the Council, ... the same which were left at his House by ... *Stretch*, and Mr. *Bostock*; who made Oath, ... being inform'd by *Dangerfield* of certain ...hibited Goods concealed in *Ax-yard*, they ap...ted to meet him at Mrs. *Celliers*, in order to ... with him to seize them: but when they came ...e, he was not then ready, having not yet lain ...is new Lodgings; but told them, that he in...ded to go to them that very night, and there... appointed them to come the *Wednesday* fol...ing in the morning; and that when they came ...e, they found *Dangerfield* in his Chamber, ... one *Bedford* with him; and that *Dangerfield* ... them aside, lest *Bedford* should hear, and ...spered to them, that the Goods were in the ...m above stairs, and desired them to charge ... to assist 'em, which they did; (and that after ...rrow search) finding do such Goods as they ... informed of, he pointed towards the Bed,

where-

whereupon they pulled it away from the W
and searched very narrowly, but could discover
goods, nor did the Papers appear to them; whe
upon he pointed to the Beds-head, and then
Stretch went behind the Bed with a Candle,
could see nothing. And that then *Dangerf*
went himself behind the Bed, and calling to the
cryed, *What's that hangs there?* pointing to
bundle of Papers that were pinned to the Be
head; which they had no sooner taken down, h
he snatched one of them out of the Officers han
and cryed out, *Here's Treason!* There was in th
Paper, words to this Effect. *I wonder at yo
delay, and that the four Lords have left us! for no
the Tyrant has declared himself a Papist; (whi
agreed very well with what they afterwards endea
voured to charge upon his Lordship, and the rest
the Protestant Nobility:)* upon the reading
which words, he cryed out, *Did not I tell you th
were Treasonable Papers? they ought to be secure
and the person whose Chamber this is, if he were pr
sent.* They swore likewise, that the Papers whi
the Council had then before them, were the sa
which they took down from behind the Beds-he
and that they did verily believe them to be plac
there by *Dangerfield*.

The Council proceeding no further in the ex
mination of the Plot that day, the Justice took B
for *Dangerfield*, till the next day; And then t
Colonel Petitioning that the rest of his Witnes
might be heard, His Majesty Adiourn'd the exam
nation thereof till the next Council-day, in rega
of some other business which the Council had th
before them: whereupon *Dangerfield* moved, th
till then he might be Bailed; but His Majesty re
sed to grant it, and ordered in Council, that
shou

uld be taken into Custody by the Messenger: o acquainting *Dangerfield* therewith, he ston- d, and said, He was confident there was no such der, for he knew there were those persons that ould not suffer him to be so Treated: but the essenger insisting upon his order, demanded his ord, which he very unwillingly delivered, and was conducted to the Messengers House. He had e impudence to move the Board, that the Co- el might be committed likewise; but my Lord hancellor opposed the motion, and so it fell.

On the *Monday* following, they being both cal- d into Council, and *Dangerfield* having by that me received instructions from the Conspirators w to proceed in it, Addressed himself to His ajesty, affirming there were in all sixteen Papers, esiring to know what was become of the rest hich was before the Council, and what was be- me of the Box of Treasonable Papers, and two three hundred Letters. Adding, That *Mansel* d got together a company of Witnesses to dispa- ge the Kings Evidence, and to palliate his Trea- nable Practices; and desiring leave to ask him me questions, which being granted, he asked im, if he did not frequent a Club in *Westminster* arket? whether he did not know one *Disney iste*, *English Grange*, and *Brown*? whether he id not bring into the Club a Pamphlet called, *A ord without Doors*, and read it publick to the lub? whether he did not after the reading there- , utter Seditious Words against His Royal High- ss?

Mansel replyed, He knew many of the Gentle- en he had named, that they were very honest entlemen, and good Subjects; and that all of em lived in *Westminster*, except Captain *Brown*, who

who had been Lieutenant to Major *Russel's* Troop of Horse, in His Royal Highnesses Regiment. But for all Treasonable discourse with them, or any other persons, he utterly disowned, and was thereupon commanded to call the rest of his Witnesses who appearing, proved that there were no more Papers taken in the Chamber than what was before the Council; And Mr. *Bedford*, who lay with *Dangerfield* the night before the pretended discovery, and was to have been an Assistant in the management of the Plot, acquainted the Council, That after the searching the Colonels Chamber, and seizing the Papers there, he went to Mrs. *Celliers*, and told *Dangerfield* what an ill thing he had done, both in injuring Mr. *Mansel*, and likewise by ingaging him in so base and vile a business; desiring him therefore to discover and lay open the whole contrivance, and who it was that put him upon it; And that *Dangerfield* replyed, He did not doubt but to come off well enough, since so great persons had ingaged him in it, *&c.* Mr. *D'oiley* deposed, that he had prosecuted him at two several Sessions held in the *Old-Bayly*, for uttering false Guinneys; to which *Dangerfield* replyed, He was indeed twice prosecuted upon that account, but it was out of pure malice: And that for the second time, he had received His Majestys Gracious Pardon: wherefore he hoped those Matters would not be remembred against him now, to the prejudice of his Evidence. The Earl of *Essex* demanded of him, who had sollicited His Majesty for his Pardon? he answered, Captain *Richardson*. Then his Boy Witnessed that he had Lodged at *Powis's* House, and had been several times at the Lord *Powis's* Lodgings at the *Tower*: That he had several times sent him with Letters and other Papers, to the Lord

Powis,

Powis, and that he had brought him back Answers, that the Lady *Powis* had been several times at Mrs. *Colliers*, during the time that *Dangerfield* lodged there, and particularly on the *Saturday* was seven-night before, when she was alone with him in a Room, in private discourse, about half an hour. Then the Lord Chancellor asked him whether he had ever been with the Earl of *Shaftsbury*? to which he replyed, He had been several times with his Lordship, and had discoursed with him; repeating some of those things which had passed between them. You are in the mean time, saies the Chancellor, a fine Fellow, to come first to the King, then to the Lord *Powis*, and from thence to the Earl of *Shaftsburys*, and discover to one, what discourse you had with the other, and go with one story to the Earl of *Shaftsbury*, and bring another to the Council. And indeed the business appeared so plain to the Board, that they committed him to *Newgate*, by the following Warrant.

These are in His Majesties Name, to require you to take into your Custody the person of Thomas Gilloughby *(which was the Name he then went by) herewith sent you, for forging Letters importing high Treason, and fixing the same privately at Mr. Counsel's Chamber, to render him Guilty thereof without cause; And you are to keep him safe till he shall be discovered by due course of Law: for which, this shall be your Warrant.*

Council-Chamber, *White-hall*, *October*, 27th, 1669.

To the Keeper of *Newgate*, or his Deputy.

NOw now the wickedness which had hitherto hovered in the Dark Caverns, began to be more and more exposed: for Mrs. *Colliers* House being searched, the whole Scheam of their Villanies was found hid in a Tub of Meal, they having assured themselves that none would be so scrutinous as

to search there: whereupon she was apprehended and being examined concerning Mr. *Dangerfield* she said she had entertained him upon no other account than to get in desperate Debts. However being sent to the *Gate-House*, she presently dispatch away a Paper to him, telling him, That now his Life lay in his hands, and therefore directed him to confirm what she had said; That he was taken into her House only to get in bad Debts, *&c.* sending him withal Twenty Shillings in Silver, and a Guinney and two Books of Account, that so he might the Con over and be perfect in his Lesson. But taking Caution by the unfortunate Mr. *Coleman*, he resolved not to throw away his Life as he had done, nor patiently consent to be Hanged, to please the Conspirators. Wherefore he made a full discovery of the whole Matter, upon Oath, before Sir *Robert Clayton* then Lord Mayor of *London*; whereupon Sir *Robert* repaired to *White-hall*, and gave an account thereof to His Majesty, who presently sent it to the Council; and *Dangerfield* was thereupon by order of Council brought before them, and was further examined by their Lordships, who thereupon committed the Earl of *Castlemain* to the *Tower*, Mr. *Gadbury* to the *Gate-house*, Mrs. *Cellier* and Mr. *Reeve* to *Newgate*, and the Countess and others, into the Custody of His Majesties Messengers; and the whole Design was at several times undeniably proved before them, by innumerable concurring Circumstances, and substantial Evidences, and the Conspirators themselves confest the greatest part of it to be true. But yet hoping to make the best of it, and turn it off to the Lord *Shaftsbury*, and the rest of the Protestants whose ruin they thirsted for.

But these things were scarce over, when another design to Murther him is discovered by *Francis*

Peria, who deposed at the Bar of the House of *Commons*, that being preferred to be Interpreter and Secretary of *Languages* to the Lord *Gasper Brew de Freitas* Ambassador in Ordinary from the Prince of *Portugal* to the King of *England*, the Ambassador perswaded him to kill the Earl of *Shaftsbury*, by throwing a hand-Granado into his Coach; which he said was easie to be done, when his Lordship was travelling upon the Road into the Country, which he did often.

What an Heroick and magnanimous Soul must he then be master of, that could so bravely bear up against all those boisterous Storms and continual Tempests which were perpetually raised against him by the Art and Malice of the *Popish Crew*, and that notwithstanding those innumerable difficulties and dangers wherewith he was always surrounded, and which still threatned his ruine, the simple consideration of his own Innocence and Loyalty was able to maintain an undisturbed quiet, and a perpetual Serenity within him.

But however these frequent disappointments enraged them, yet it did not discourage them from other Attempts against his Life and Honour; but rather added to their fury, and increased their desire of revenge. They next endeavour therefore to prove that he, the Earl of *Essex*, and the Lord *Howard* had assisted *Oates*, *Tongue*, and *Bedloe*, in contriving the *Popish Plot*. To which purpose they corrupted Mr. *Blood*, and prevailed with him to write a Treasonable Letter to *Oates*, and then cause the Doctor's Papers to be searched and rummaged, in hope to find it there, and so to prove him to be a Confederate with his Lordship and other *Protestant Nobles*. But the *Doctor* sent the Letter to Sir *Joseph Williamson*, then Secretary of State, and thereby spoiled that Design: whereupon

they sent one *Lewis* to his Lordship, to desire he would send by him the said *Lewis* some Directions to Dr. *Oates*, under his Lordship's own Hand-writing, how he should manage himself in reference to the Plot; but the Earl absolutely denied to have any thing to do therewith: And having failed in this Project, they next procured young *Tongue*, Son to Dr. *Tongue*, to prove that his Father, the Earl of *Shaftsbury*, and *Oates*, invented the *Popish Plot*. Whereupon one of the Lords of the *Council* asked him, If they contrived *Coleman*'s Letters too? To which he could make no reply; and indeed the whole business was so weak and ridiculous, that it effected nothing more than the depressing the *Wretch* that was to have been the Evidence of it under the weight of his own Guilt, he being committed to the *King's-Bench*, where he hath ever since remained.

Besides their publick designs, they had several secret Projects and Artifices to accomplish his Ruine; As forging of his hand, and other such like base and villanous Arts, as appears by their intercepting Letters directed to his Lordship; and after having inserted Treason in them, in a hand as near the Original as they could possibly counterfeit, transmitted them to such hands as would certainly acquaint our Ministers of State therewith; but more especially a certain Gentleman who had commanded a Regiment of Horse in the Service of his late Majesty, for whose sake, & his present Majestie's, he suffered the loss of all that he had, writ to the Earl about relieving him against the Gout with, which he was much afflicted, whose Letter was intercepted (the person that writ it, lived at that time in the *French King's* Dominions) and after they had added to it an account that the Writer was able to furnish the Earl with Forty thousand men from *France*, to oppose the D. *Y*'s In-

ureſt, it was then convey'd to ſome of the *French Miniſters* of State, preſuming they would ſend a Copy of it hither: but by an over-ruling Providence, the Letter was ſtrangely return'd into the Gentleman's own hands, whereby the miſchief they intended was prevented.

His Majeſty having prorogued the Parliament, his Lordſhip, together with the Earls of *Huntington*, *Clare*, *Stamford*, *&c.* the Lords *North* and *Grey*, *Chandois*, *Grey*, *Howard*, and *Herbert*, being introduced to his Majeſtie's Preſence by his Highneſs Prince *Rupert*, preſented the following Petition and Advice to His Majeſty.

SIR,

WE are here to caſt our ſelves at Your Majeſty's feet, being Ten of the Peers of Your Realm of England, and in our own Names, and in the Names of ſeveral others of our fellow-Peers, do humbly beg, That Your Majeſty would conſider the great Danger Your Royal Perſon is in, as alſo the Proteſtant Religion, *and the Government of theſe Your Nations.*

We humbly pray, that in a time when all theſe are highly concerned, Your Majeſty will effectually uſe Your Great Council the Parliament.

SIR, *Out of the deepeſt ſence of Duty and Loyalty to Your Majeſty, we offer it as our humbleſt Advice and earneſt Petition, that the Parliament may ſit at the time appointed, and that Your Majeſty would be graciouſly pleaſed to give publick Notice and Aſſurance thereof, that the minds of Your Majeſty's Subjects may be ſettled, and their fear removed.*

To this *Petition* and *Advice* His Majeſty anſwered, He would conſider of what they had offered, and told them, that he heartily wiſhed all other people were as ſolicitous for the peace and good of the Nation as he was, and ever would be. However, he was pleaſed ſoon after to Prorogue the

Parliament from the 26th. of *January*, till the 11th. of *November* following.

About this time his Lordship was visited with a violent and dangerous fit of Sickness, and his recovery was somewhat doubted of; but Heaven was pleased to spare him to be a further Scourge and Terrour to the *Papists*, those common *Pests* of *Christendom*, and sworn Enemies to His Majesty, and the *English* Nation.

The *Romanists* having tryed so many ways and different methods for accomplishing his Ruine, resolved to try a new Stratagem for the effecting thereof; *viz.* The tampering with *Dugdale* to retract his Evidence concerning the *Popish Plot*, and endeavour to prevail with him to withdraw himself into some place beyond the Seas, and leave a Writing behind him wherein he was to retract all he had sworn against the *Papists*, and pretend that the occasion of his Retraction was an extream trouble and anguish of Conscience, for having so unjustly and wickedly injured the *Papists*, and procured the shedding of innocent blood; affirming that it was by the instigation of his Lordship, and other Protestants (of unblemished Loyalty to His Majesty) upon whom he was moreover to fix the *Odium* of a *Presbyterian* Plot, not only against the *Papists*, but against His Majesties Person and Government. But the mischief of it was, they had not then Debauched his Conscience, perswaded him to question the Truth of God's Omniscience, or wholly Eradicated the Belief of a Deity out of his mind, and thereby render him hardy enough to undertake so Barbarous a Work, without any kind of Hesitation. Wherefore being touched with some Remorse at so horrid a Villany, he gave an account of the business to his Lordship, and some others, and so that design suffered the same fate with the rest, and produced

no other effect, than exposing the Malice of his Enemies, and the informing him what he must live in a daily expectation of, from those indefatigable Wretches, and purchasers of Perjury, by offers of two Thousand Pounds, and promises of other rewards and gratitudes. A Sum so considerable, and Arguments so powerful and irresistable, that it would have been a rarity, much more amazing, and would infinitly have transcended any of those, called, *The Seven Wonders of the World*, if they should always have been so unhappy, as not to meet with some Profligate Villain or other, who would upon those considerations engage to Swear whatever they should dictate, and even defie the Almighty, and storm Heaven it self to gain so immense a Treasure, and acquire a Fortune so far above what their Birth or Education ever gave them a Prospect of.

In *December*, 1680. he was present at and assisted in the trying *William Viscount Stafford*, upon an Impeachment of the *House of Commons*, for Plotting and Conspiring with the Pope and his Emissaries to Murther the King, extirpate the Protestant Religion, and subvert the Government of these Kingdoms; and after a fair Tryal, his Lordship with the Majority of the Peers, found him guilty of the Treason whereof he stood Impeached, upon which he received Sentence to be Hang'd, Drawn, and Quarter'd; the rigour whereof was remitted by the Gracious Pleasure of His Majesty; and not long after, he was beheaded on a Scaffold erected for that purpose on *Tower-Hill*.

On the 10*th*. of *January*, His Majesty Prorogued the Parliament, and on the 18*th*. they were Dissolved by Proclamation, and a New one Summoned to meet at *Oxford*, on the 21*th*. of the following *March*; which being looked upon by his Lordship,

and divers others of the Nobility and Gentry, to be ominous, and attended with much hazard and danger, (and was afterwards really found to be so by some.) To prevent which, the Earl joyned with several Noblemen in presenting a humble Petition and Advice, full of Tenderness and Affection, Duty and Loyalty to His Majesty's Person and Government; humbly requesting that the Parliament summoned to meet at *Oxford*, might be Graciously permitted to meet and sit at *Westminster*. It was presented to His Majesty by the Earl of *Essex*, who acquainted the King with the design and intent of their Petition, in the following words.

May it please Your Majesty,

THe Lords here present, together with divers other Peers of the Realm, taking notice, that by your late Proclamation Your Majesty hath Declared an Intention of calling a Parliament at Oxford; *and observing from Histories and Records, how unfortunate many such Assemblies have been, when called at a place remote from the Capital City; as particularly the Congress in* Henry *the Seconds time at* Clarendon: *Three several Parliaments at* Oxford, *in* Henry *the Third's time; and at* Coventry, *in* Henry *the Sixths time, with divers others, which have proved very fatal to those Kings, and have been followed with great mischief to the whole Kingdom. And considering the present posture of Affairs, the many Jealousies and Discontents which are among the People, we have great cause to apprehend that the consequences of the sitting of a Parliament now at* Oxford, *may be as fatal to Your Majesty and the Nation, as those others mentioned have been to the then Reigning Kings; and therefore we do conceive that we cannot answer it to God, to Your Majesty, or to the People, if we, being Peers of the Realm, should*

not

us on so important an occasion, humbly offer our Advice to Your Majesty; that if possible, Your Majesty may be prevailed with to alter this (as we apprehend) unseasonable Resolution. The Grounds and Reasons of our Opinion, are contained in this our Petition, which we humbly present to Your Majesty.

To the Kings most excellent Majesty.

The humble Petition and Advice of the Lords undernamed, Peers of the Realm,

Humbly sheweth,

THat whereas Your Majesty hath been pleased by divers Speeches and Messages to Your House of Parliament, rightly to present to them the Dangers that threaten Your Majesties Person, and the whole Kingdom, from the mischievous and wicked Plots of the Papists, and the sudden growth of a forreign Power; unto which no stop or remedy could be provided, unless it were by Parliament, and an Union of Your Majesties Protestant Subjects, in one Mind, and one Interest.

And the Lord Chancellour in pursuance of Your Majesties Commands, having more at large demonstrated the said dangers to be as great as we, in the midst of our fears, could imagine them; and so pressing, that our Liberties, Religion, Lives, and the whole Kingdom, would certainly be lost, if a speedy provision was not made against them.

And Your Majesty on the 21st of April, 1699. having called unto Your Council many Honourable and Worthy Persons, and Declared to them, and to the whole Kingdom, That being sensible of the Evil Effects of a single Ministry, or private Advice, or forreign Committee, for the general Direction of Your

Affairs, Your Majesty would for the future refer all things unto that Council, and by the constant Advice of them, together with the frequent use of Your great Council the Parliament, Your Majesty was hereafter resolved to govern the Kingdom: We began to hope we should see an end of our Miseries.

But to our unspeakable grief and sorrow, we soon found our expectations frustrated; the Parliament then subsisting was prorogued and dissolved before it could perfect what was intended for our relief and security: And though another was thereupon called, yet by many Prorogations it was put off till the 21th of October *last; and notwithstanding Your Majesty was then again pleased to acknowledge, that neither Your Person nor Your Kingdom could be safe, till the matter of the Plot was gone through, It was unexpectedly prorogued on the* 10th *of this month, before any sufficient Order could be taken therein: All their just and pious endeavours to save the Nation, were overthrown; the good Bills they had been industriously preparing to unite Your Majesties Protestant Subjects, brought to nought; the discovery of the* Irish *Plots stifled; the Witnesses that came in frequently more fully to declare that, both of* England *and* Ireland, *discouraged; those forreign Kingdoms and States, who by a happy conjunction with us, might give a check to the* French *Powers, disheartned, even to such a despair of their own security against the growing Greatness of that* Monarch, *as we fear may induce them to take new Resolutions, and perhaps such as may be fatal to Us: the strength and courage of our Enemies, both at home and abroad, increased, and our selves left in the utmost danger of seeing our Country brought into utter desolation.*

In these Extremities we had nothing under God to comfort us, but the hopes that Your Majesty (being touched

touched with the Groans of Your perishing People) would have suffered Your Parliament to meet at the day unto which it was prorogued, and that no further interruption should have been given to their proceedings, in order to their saving of the Nation: But that failed us too; so then we heard that Your Majesty had been prevailed with to dissolve it, and to call another to meet at Oxford, where neither Lords nor Commons can be in safety, but will be dayly exposed to the Swords of the Papists and their Adherents, of whom too many are crept into Your Majesties Guards. The liberty of speaking according to their Consciences, will be thereby destroyed, and the validity of all their Acts and Proceedings (consisting in it) left disputable. The straitness of the place no way admits of such a concourse of persons as now follows every Parliament: The Witnesses which are necessary to give Evidence against the Popish Lords; such Judges, or others, whom the Commons have impeached, or had resolved to impeach, can neither bear the charge of going thither, nor trust themselves under the protection of a Parliament, that is it self evidently under the power of the Guards and Souldiers.

The Premises considered, We Your Majestys Petitioners, out of a just abborrence of such a dangerous and pernicious Council, (which the Authors have not dared to avow) and the direful apprehensions of the calamities and miseries that may ensue thereupon; do make it our most humble Prayer and Advice, that the Parliament may not sit at a place where it will not be able to Act with that freedom which is necessary; and especially to give unto their Acts and Proceedings that Authority which they ought to have amongst the people, and have ever had, unless impaired by some Act upon them

them (of which there wants not presidents;) and that Your Majesty would be Graciously pleased to order it to sit at Westminster, (it being the usual place) and where they may consult with Safety and Freedom.

And Your Petitioners, &c.

Monmouth,	Shaftsbury,
Kent,	Mordant,
Huntingdon,	Ewers,
Bedford,	Paget,
Salisbury,	Grey,
Clare,	Herbert,
Stamford,	Howard,
Essex,	Delamer.

But his Majesty resolving not to alter his Resolution for the Parliaments sitting at *Oxford*, and the time of their meeting drawing near, the Members from all parts repaired thither; and apprehending themselves in danger of being exposed in a place so remote from *London*, to the Insolency of the Papists, upon the account of that Vigilancy and Courage wherewith they had prosecuted the Popish Plot in former Parliaments, they appeared there with a Guard, some of them being accompanied thither by their Tenants and Neighbours, some by the Freeholders by whom they were chosen, and many of them only by their own Domesticks; And to say the Truth, the whole number was so inconsiderable, that it served rather for Ornament than Strength, and could have afforded but little assistance, if the Papists had made an Assault upon them, as was feared. Going thus attended to Parliaments holden at places remote from the Royal City, hath always been usual and customary,

stomary, and accounted not onely honest, but decent and honourable too, especially in times of difficulty and danger, when not onely a Suspition, but unquestionable Evidence, and undeniable proof of a designe to destroy the King, murther his Subjects, and subvert the Government, renders it foolish and unsafe to do otherwise, lest thereby the innocent and unwary expose themselves to the insolence and fury of their stronger Adversaries. But notwithstanding this antient and laudable custom, it was looked upon at this time as an ill thing, and great improvement made thereof towards the effecting what had been formerly so often unsuccessfully attempted, as will appear by the sequel of this History.

The King having made preparations for His Journey to *Oxford*, went first to *Windsor*, and from thence to the University, being met upon the Border of the County by the High Sheriff and his Attendants, and at *Whately* by the Lord *Norris*, Lord Lieutenant of the County, with a great Train of Gentry, and the two Troops of the County Militia, who conducted him to the East-Gate of the City, where he was received by the Mayor, and the rest of the Magistrates, and welcomed by the Recorder, in an elegant and florid Oration. Then the Mayor presented him with the Mace and Sword; which being return'd again, the Mayor attended with the Aldermen and Recorder, carried the Mace before His Majesty to *Christ-Church-gate*, from whence the King passing to His Lodgings, which were prepared for him in the *College*, was received by the Bishop, and welcomed in a *Latin* Speech which he made on his Knees. And the next morning His Majesty was attended by the Vice-Chancellor, the Orator, and the rest of the Officers belonging to the University; The Orator making

making a Speech to the King in *Latin*, and to the Queen in *English*.

His Lordship and divers other persons imitated those of other parts, and went to *Oxford*, accompanied likewise with several persons of their Neighbours and Acquaintance, who Innocently offered to wait on them some part of the way, and others, throughout to *Oxford*.

On the 21*st*. the Parliament met at the *Convocation-House*; The King told them he had not parted with His last *House of Commons*, had it not been for their unwarrantable proceedings; he commended to them the prosecution of the Plot, *&c*. Having ended his Speech, the Commons returned to their House to chuse themselves a Speaker, and unanimously made choice of Mr. *Williams*, who had been Speaker of the former Parliament: the choise being over, they presented him to His Majesty; and the Speaker Addressing himself to the King, acquainted Him, That the Commons according to His Majesties command, had proceeded to choose them a Speaker; and to shew that they were not given to change, they had chosen him; and that he did according to their command, prostrate himself at His Majesties Feet to receive his pleasure, with a Head and Heart full of Loyalty to His Sacred Person, Armed with a settled Resolution, never to depart from His ancient and well settled Government. The King having approved of the choice, and confirmed him for Speaker, the Commons withdrew, and repaired to their own House, and settled Elections, *&c*. On the 25*th*. they entered upon the consideration of the Matter relating to the Bill which had passed both Houses in the last Parliament, for repeal of the Act of the 35*th*. of *Elizabeth*, but was not tendered to His Majesty for the Royal Assent;

and

and resolved that a Message should be sent to the Lords, to desire a Conference thereupon.

Another Message was also ordered to be sent to the Lords, to put them in mind that they had formerly by their Speaker demanded judgment of High Treason at their Bar, against the Earl of *Danby*, and therefore desired them to appoint a day to give judgment against him upon their Impeachment.

The Impeachment of *Fitz-Harris* was next entered upon, in order whereunto, his Examination being read in the House, they ordered it to be Printed, and that *Fitz-Harris* should be impeached at the Lords Bar, and a Committee appointed to draw up Articles against him. The House ordered Sir *Lionel Jenkins* to carry up the Impeachment to the Lords, which he at first refused; but perceiving the Commons were ready to proceed against him for that Contempt, he complied, and went up and impeached *Fitz-Harris* at the Bar of the Lords House, in the Name of the Commons and People of *England*. The Impeachment of *Fitz-Harris* being thus delivered to the Lords, they rejected it: whereupon his Lordship, and Eighteen Peers, entered their Protestation against their throwing of it out; The Commons likewise Voted it to be illegal, and the next Morning, *March* 28*th*. His Majesty sent for them into the *House of Lords*, and told them that their beginnings had been such, that he could expect no good of this Parliament, and therefore thought fit to Dissolve them, and accordingly the Chancellor by the Kings Command declared the Parliament Dissolv'd.

By this unexpected and suddain Dissolution, a final conclusion was put to all their Debates, and all their further Examinations of, and prosecuting

the

the Popish Plot, was terminated by a full Point.

The Parliament being thus Dissolv'd, the King took Coach immediately, and departed to *Windsor* the same day, and after a few Hours stay, returned to *Whitt-hall*, and the Earl likewise returned to *London*; having first left as a mark of his magnificence and bounty, a piece of Plate to *Baliol-College*.

With this Parliament we may conclude the Active part of his Lordships Life: for about that time the Scene alter'd, and he becomes only passive in the remainder of his Life; in relating the Storms whereof, I am fallen into such a Labyrinth of Plots, Sham-Plots, mysterious Intreagues, Subornations and Perjuries, and confident Affirmations of moral Impossibilities, as no Age ever produced, or History can parallel; so that it cannot be expected I should Write an exact History thereof; but the Reader must be content to let it remain as a considerable part of the Mystery of Iniquity, until such time as he to whom all things are open and naked, shall bless the World with a full and clear discovery of the secret. But as a Comical Prologue to the intended Tragedy, a company of *Obscure Varlets*, *Irish Bogtrotters*, *Skipkennels*, and *Indigent Extravagants*, who having profusely wasted their own Fortunes, would gladly imbrace any oportunity to repair them by the ruine of others; and treated each other with no less than the assurances of vast and mighty Fortunes, and being advanced to places of Profit and Honour: And some of them in a bravery, and to excite others to an imitation of them in their wicked Practices, chinks their Guinneys, and exposes their Golden Rewards, affirming that so it should be done to the Man who was beloved; with other encouragements and invitations to perswade and allure them

to

to come over and labour at the work of Transubstantiating the Plot. And indeed, to such a height of Ambition and vain Glory they were arrived at, that they commonly discoursed of being advanced to Captains and Ensigns Places, Deanries and Prebendaries; and putting a mighty value upon themselves, scorned to think of less than great Preferments, and as much Money as they would demand.

Not long after the Dissolution of the *Oxford*-Parliament, one *Brian Hans* came to his Lordship, pretending to be some Gentleman of Quality, and that he could make very considerable discoveries of the Popish Plot, and the Murther of Sir *Edmondbury Godfrey*; and desired his Lordship in order thereunto, to procure him a blank Pardon, being very unwilling, as he pretended, to have his Name known, until he had his Pardon procured for him. The Earl, who was alwaies ready to serve His Majesty and the Protestant Interest, and supposing that this could be no inconsiderable piece of Service, to discover the Murther of the aforesaid Knight more fully than had been hitherto done, which must necessarily give a greater light into the Plot; he endeavoured to get him one, but it could not be obtained. And not long after, this pretended Gentleman of Quality dwindled into a mean and obscure Wretch, and of a pretended Evidence of the real Popish Plot, degenerated into a blustering Witness of a fictious Protestant one. For being apprehended, and carried before the Council, instead of discovering any thing about the Death of Sir *Edmondbury Godfrey*, he accused his Lordship and others of having endeavoured to suborn him to do it. Whereupon Mr. *Rouse*, a Gentleman who had been sometime employed by Sir *Thomas Player* in paying off the Army which had been Disbanded

banded not long before; and Mr. *Colledge*, who had attended some of the Parliament-Men to *Oxford*. And *Saturday*, *July* the 2d. 1681. in the Morning, his Lordship was apprehended by a Messenger, by Vertue of a Warrant from the Council, and his Papers all seized and carried to *White-hall*, where the King likewise arrived from *Windsor*, about Ten of the Clock; and then he was examined before His Majesty and the Council; some of the Judges likewise were present. His Lordship knowing himself clear of what was laid to his charge, boldly affirmed, and solemnly protested his Innocency, adding as it was reported, That were he Guilty of those Crimes whereof he was accused, he was certainly a mad-Man, and had thereby rendered himself more fit for *Bedlam*, than the *Tower*, whither upon the Sequel he was committed Close Prisoner for High Treason, and conveyed thither by Water, in a *Barge*; and the King returned the same day to *Windsor*. And now the better to prepare peoples minds to believe what he was to be charged withal, the *Jesuites* and Condemned *Priests* in *Newgate*, and some other of the Popish Crew, privately dispersed divers Hellish and Lying Pamphlets, wherein they maliciously aspersed him with Conspiring Treason against His Majesty; one whereof, which was somewhat more impudent and mischievous than the rest, and was called, *Articles against the Earl of Shaftsbury*, was dispersed with some privacy and caution. The Articles were as follows;

I. *That he had imagined to compass and procure the Death of the King, the Subversion of the Government, and the known Laws of the Land, by reducing this Antient* Monarchy *into a Republick.*

II. *That he used great endeavours to possess the People*

ple that His Majesty was a Papist, and design'd to introduce Popery and Arbitrary Power; and to that end had promoted several Seditious and Treasonable Libels against His Majesty's Person and Government, purposely to bring His Majesty into Odium and Contempt with His loving Subjects.

III. That He endeavoured to Levy War against the King, both in England and Ireland, and to bring on Bloud-shed and Confusion upon His Majesties Loyal People, under pretence of prosecuting the Popish Plot, and preserving the Protestant Religion, the Liberty and Property of the Subject, as He and His Complices have done in the late Rebellion.

IV. That he endeavoured to render the Church of England as ridiculous as Popery, and Defam'd all His Majesties Officers both by Land and Sea, and all others, who out of a due sense of Loyalty adhere to the Crown, stiling them Tories, Tantivies, Malignants, &c. purposely to frighten them from their Duty, and wean them from their Sovereign, to adhere to Him and His Faction.

V. That he countenanc'd, harbour'd, and hired Persons to Swear against the Queen, and His Royal Highness.

VI. That He procured several Sums of Mony to be Raised and Collected to carry on these most abominable Designs.

And to represent him as monstrously unnatural and bloody as themselves, and render him hateful & detestable to all Men who would be so Brainless as to believe the silly and ridiculous Shams; the Artificer adds in the close of his *Libel*, this strange and improbable *Rodomantado*, That when the Sergeant at Arms apprehended him, he desired him to say something before he appeared before the King and Council; whereupon, saies the *Libeller*, his Lord-

ship

ſhip anſwered, *I have no ſtomach to eat, unleſs I could get a roaſted* Iriſhman.

The Seſſions of the Peace for *London* and *Middleſex* beginning on the Wedneſday following, he preſented a Petition to the Court, deſiring to be brought to a ſpeedy Tryal, or elſe admitted to Bail. Upon the 8th *Stephen Colledge* had an Indictment preſented againſt him to the Grand Jury, who were all of them ſubſtantial men; and after having heard all that could be ſaid on both ſides, they returned an *Ignoramus* upon the Bill: but being removed to *Oxford*, and tryed there, was found guilty, and was accordingly condemned and executed; and a forged Paper preſented and publiſhed by one *Thompſon* a Printer, and ſuppoſed to be writ by ſome Jeſuit, who are always ſo good at inventing of Shams, called, *His laſt Speech*, wherein he was made to confeſs all that he was charged with, although it afterwards appeared that he abſolutely denied he was any way guilty, affirming his Innocency to his laſt breath. *Auguſt* 31. his Lordſhip preſented another Petition to the Judges at the Seſſions at the *Old-bayly*, deſiring that he might be either Tryed or Bayled, purſuant to the Act of *Habeas Corpus*; to which the Court returned anſwer, That being charged with no Crime in that Court, and being Priſoners in the Tower, they could take no Cognizance of them, but they muſt ſeek their relief at the Kings-bench-bar the next Term. Great preparations were made for his Tryal, and abundance of Witneſſes procured; and Mr. *Samuel Wiſon*, a Gentleman belonging to his Lordſhip, was likewiſe committed to Priſon, for ſpeaking ſome Treaſonable words, as was ſworn by ſome of thoſe Evidences. Now you muſt know, this *Wilſon* was the Gentleman whom his Lordſhip intruſted to attend

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Counsel when his Papers were looked over, take away those which were returned, and indorse the rest with his own Name; and that the Paper said to be found in the Earls Closet, purporting an Association, was not indorsed by him.

In the mean time, notwithstanding they had abundance of Witnesses, yet they desired to have some whose port and figure in the World might procure them the greater Credit, & thereby render them the more capable of accomplishing their end in the Earl's ruine; and, as they imagined, Fortune offered them the most likely and favourable opportunity that could possibly be desired or wished for, by the following Accident. Captain *Hrm Wilkinson*, a Gentleman that had always espoused the Royal Interest, and had hazarded his Life, and impaired his Estate in the service of his Prince; having a desire to settle in the Island of *Carolina*, applied himself to the Proprietors for an Employment in that Country; and had, upon the account of his Loyalty to his Majesty, a promise made him of being employed as Governour under the Proprietors, by his Lordship, who was one of the chief Proprietors, and to whom, upon the account of his great Judgment and Discretion, the rest had committed the whole management. The Captain having obtained this promise, hired two Ships to convey himself and Family, and what other persons were to go with him thither, whereof one of them was a Relation of mine. Upon this, one *Booth*, a person well born, but by his wicked and profligate life, had wasted his Patrimony, lost all his Employments, and rendered himself very indigent and necessitous, applied himself to the Captain, desired to go with him to *Carolina*; and the Captain prefixed a time for coming on board, and

engaged

engaged to bring with him about fifteen Servants or upwards. This was eafily promiſed, but not ſo eaſily performed: Servants and Companions enough he might have had, who had, like himſelf, reduced themſelves to Poverty and Diſtreſs, and would for that reaſon have been glad of ſuch an opportunity of being freed from the Scorn and Contempt of their acquaintance, and the Dread of a Goal: But how to pay for their paſſage, or employ them when they came there, he knew no more than the Man in the Moon. But after a little conſideration, he reſolved of the following adventure to ſupply that difficulty: He firſt forged Letters, as directed to him from perſons of Quality, deſiring him to buy them ſeveral rich Goods of *Mercers, Drapers, Upholſterers*, &c. and then he went with thoſe Letters to ſome Trades-men, with whom he had for that purpoſe procured ſome kind of acquaintance, ſhews them the Letters, tells them, if they would uſe him well, he would buy the Goods of them: *You ſhall*, ſays he, *have your Money as ſoon as I have acquainted the perſons that I have bought the Goods, and can receive an anſwer from them again.* After this manner he went to *Mr. Halford* a Mercer in the *Strand*, with a premeditated Letter from the Lady *Ogle*, now Dutcheſs of *Summerſet*; wherein he was ordered to buy her ſeveral curious flowred Silks, and other rich Goods, to the value of between two and three hundred pounds: that *Mr. Halford* might give the better credit to the buſineſs, he procured the Gentleman's Brother to go with him. *And for your Brothers ſake, Sir*, ſaid he, *I have a very great kindneſs for you, and would rather you ſhould take my Money than any other man's*: adding, That he expected ſhortly to be Steward to the Duke of *Northumberland*, and then he would endeavour to procure him

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the custom of that Family. But supposing the Shop to be too publick, and therefore not safe enough to treat in, he invited him to the Kings-Arms Tavern, and there discoursed the business. *I have not all the Goods you mention, in my Shop,* says *Halford, but in a day or two I can get them: Pray do,* says he. You may be sure *Halford,* imagining he had gotten a brave Customer, applied himself with double diligence to procure the Goods against the time appointed; but the Merchant he bought them of knowing they were Goods he did not usually deal in, especially such quantities, he asked him who they were for? Whereupon *Halford* told him the whole Story. *You had best have a care you are not cheated,* says he, *I do not like the business; however, you may do as you find occasion.* At the time appointed he came to see the Goods, and liked them very well, and intended they should have been the cheapest that ever he bought. But *Halford* being thus cautioned, told him the Goods came to a great deal of money; that he was a young beginner, and could not conveniently trust him for them; but if he would pay him ready money, he would, to oblige him, sell him cheaper than he should buy at any other Shop. *Sir,* said *Booth, I am content, I will come and fetch the Goods, and pay you ready Money;* but never came near him more. After the same manner he went to Mr. *John Ridges* an Upholsterer, who lives in St. *James's* near St. *James's* House, and hath a Shop likewise in *Long-lane* in the City; but came off with the like success. My designe of brevity will not permit me to mention all his tricks of this nature, nor how he served the Taylor in *Field-lane.*

These disappointments rendered him unable to perform his promise to the Captain, and whole

diversity

diverted his thoughts from *Carolina*, accounting it a vain thing to go thither, being thus unhappily disappointed of his Cargo: And the Captain being so disappointed by him and others of his Passengers, and having had two Ships lie so long at his own charges to attend them, had thereby contracted some Debts, for which he was arrested, and his Ship and Goods seized on. When he was first arrested he was sent to the *Compter*, but quickly after removed himself to the *Kings-bench*. This Accident created new thoughts in *Booth's* working Brain, and put him upon a new Project for the repairing of his broken Fortunes, and the making himself amends for his late disappointments. The Earl of *Shaftsbury* committed the other day to the Tower for High-Treason, and *Wilkinson*, who was upon his commendation to have gone Deputy-Governour of *Carolina*, in the *Kings-bench* for Debt; *And can I contrive to get no advantage thereby? Yes, in spight of Fate, and maugre all the Powers of* Heaven *and* Hell, *I will attempt it; I will set up for an Evidence my self, and will so manage the matter, that I will procure him to be one too: his poverty and loss, and the sorrows of a Goal, will undoubtedly dispose him to a compliance with my motion.* But therein the mercenary wretch reckoned without his Hoast, and found himself wofully deceived in the idle imagination that every mans Conscience was as much vitiated and depraved as his own, and would adventure upon the most vile and abominable practices whatsoever, in hope thereby to free themselves from those pinching necessities which they were involved in; and by failing in that Enterprize, learned the true difference between being impoverished by the want of success in Trade or Merchandize, and the being undone by Prodigality and Debauchery. Be-

Before he adventured to address himself to the Captain about the business, he sent others to break the Matter to him, relating the particular Circumstances the Captain was at that time under, and instructing him how to behave themselves towards him. Being thus instructed, *Octob.* 8. 1681. *Bains* visited the Captain in the *Kings-bench*, where, after some Complements and preparatory Discourse, to make way for, and dispose the Captain to comply with what he had to offer, he proceeded to tell him, that he must needs know something of the Earl of *Shaftsbury*'s Designe against the King, and perswading him to discover it to him; and promised if he would do so, he would procure him a Pardon, and a great Reward. The Captain answered, He knew nothing by his Lordship, but that he was a very loyal Person. So soon as he was gone, the Captain acquainted Major *James* with what *Bains* had offered; and the Major presently took his Pen and Ink, and wrote it down in his Pocket-book. Two or three days after, *Booth* adventured to try his own fortune; and that he might prove more successful than his Fore-runner, procured leave for the Captain to go out of the Prison to *Booth*'s Lodging at Mr *Weaver*'s in the *Rules*, where they entertained him with a noble and splendid Treat; and assured him, if he would be an Evidence against the Earl, he should have 500 *l. per ann.* settled upon him and his Heirs as a Reward; or if he liked 1000 *l.* in ready Money better, he should have so much paid him down: and finding him still untractable, they perswaded his Wife to use her interest with him, and endeavour to prevail with him, and work him to a compliance with what they desired, telling her, she might thereby be made for ever. But when all this, and many other contrivances failed them,

them, they gave in an Information of High Treason against him to the King and Council, by whose order he was brought before them, and straitly examined concerning what he knew of a Plot against the King, and to have seized on His Person at *Oxford*. The Captain persisted in his own Innocency, and affirmed he knew no such thing by the Lord *Shaftsbury*, or any other. Then *Booth* swore High Treason against him, and deposed that *Wilkinson* was to have been Captain of a Troop of Horse consisting of Fifty Men, which were to be employed in seizing the King at *Oxford*, when the Parliament sat there: and to gain the greater credit to his Oath, and make the thing more probable, he affirmed himself was Listed under him as one of them; although to my knowledge, and the knowledge of many more, The Gentleman at that very time when the Parliament met at *Oxford*, and this was pretended to be done, was busily employed in the aforesaid Affair of providing for his Voyage to *Carolina*.

The Captain upon this Deposition, was committed back again to the *Kings-Bench*-Prison, where he acquainted the Major with what had passed at the Council; and he Writ that down likewise as he had done the rest: and the Captain willing to expose the Villany, and prevent the mischief of his mercenary Breath, published an account of the whole Matter to the World, to which I refer the Reader for further satisfaction.

His Lordship having continued in the *Tower* from *July*, till the latter end of *November*, without obtaining a Tryal, His Majesty then issued out a Commission of *Oyer* and *Terminer*, to be held at the *Old-Bayly* on the 24*th*. of that Month, when an Indictment of High Treason against his Lordship was preferred to the *Grand Jury* summoned upon

that

that occasion, which was the most substantial of any that had been known for a long time before. The Court being set, and the Jury sworn, the Witnesses gave in the like Evidence to the Court as they had formerly done to the Council. They generally swore much to the same purposes; and *Booth* was one of the chief Evidences, who declared upon Oath, that the Earl told him, That he and others had considered with themselves, it was necessary for them to have Guards at *Oxford*; and that he had for that reason provided Fifty Gentlemen, and had intrusted Captain *Wilkinson* with the command and management of them; that he himself was Listed as one of them, (yet could name none of the rest) and that he had thereupon bought himself a very good Stone-Horse, with other Accoutrements for the said Service; And that Captain *Wilkinson* promised to furnish his Man with a Horse. Now, that the World may the better judge of the truth or falseness of what this Man swore in the face of so great an Assembly, and from thence argue the validity of the other Evidences, I have transcribed *Verbatim* an Advertisement, which was thereupon published the next Week in *Janeway's Intelligence*, Number 65.

WHereas upon Thursday *last, an Indictment was preferred to the* Grand Jury *at the* Old-Bayly *against the Right Honourable the Earl of* Shaftsbury, *and whereas Mr.* Booth *was produced as one of the Evidences, who swore in open Court, That Captain* Wilkinson *was engaged with the said Earl against His Majesty and the Government, and that the said Captain was to command a Troop of Horse to be mounted with Fifty Gentlemen, and that the said Mr.* Booth *had Listed himself as one of the Troop. Also the said Mr.* Booth *made Oath, that he had bought*

himself a good Stone-Horse, and other Accoutrements for the said Service, and Captain Wilkinson *was to furnish his Man with a Horse.*

This is therefore to give Notice, That if any one can make it appear, that Mr. Booth *bought any such Horse, with his Marks and Colour, and who he bought him of about* March *last, or that he had any such Horse within that time, and what Stable he was kept at, shall have upon good proof made thereof to the said Captain* Wilkinson, *Five Guinneys paid him for a Reward of his pains.*

Also if any person can make appear, That the said Captain Wilkinson *hath bought or had any Horse, Gelding, or Mare, for these two years last past, or ever hath been upon the back of any for the same space of time, saving one Gelding which he borrowed to Ride to* Wickam, *when the Members of the last Parliament went to* Oxford; *Or that ever Captain* Wilkinson *hath been nearer* Oxford *these twenty years, than the said Town of* Wickam, *upon proof thereof, he shall have Five Guinneys for his Reward.*

Henry Wilkinson.

IT's worthy of every Mans consideration, that this was not delayed till the thing was worn out of mind, but Published whilst it was yet hot and fresh in every Mans Memory; And that therefore if any such Horse had been bought and kept by *Booth*, either the person who sold him, or those who were present at the buying of him, or the *Inn-Keeper* where he stood, or the *Ostler* that looked to him, or some one or other who must undoubtedly have seen him ride, or at least the person to whom he afterwards sold him, would certainly, either out of a Principle of Love and

Loyalty to his Majesty, to detect the impudence of the Captain in publishing this Declaration to vindicate the Honour and Reputation of *Booth* to despite the Earl and render him the more guilty, or else out of love and desire of the five Guinneys, have appeared and given Evidence thereof. The same may be said of the Captain's Horse; and therefore it must be granted, that neither the one nor the other had any Horse at all: and if so, how improbable a Story it is, that the Captain should command a Troop of Horse, when at that same time he had not a Horse to ride on, nor never had been in twenty years at the place where this Troop was to be commanded. And yet upon the Evidence of this man, and others of the like temper, some men would have had his Lordship found guilty, and convicted of no less Crime than High-Treason; railing against and vilifying the Grand Jury for doing otherwise.

After a full hearing of all that the Witnesses had to say, the Jury thought themselves obliged to return an *Ignoramus* upon the Bill; which occasioned a general joy and satisfaction, as plainly appeared by the many Bone-fires which were that night made almost in every Street, and at several Country-Towns, upon hearing the news thereof.

The Earl being thus cleared by the Grand Jury, moved to be discharged, but could not obtain it till the 13th of *February* following; and then both he and several others who were Prisoners upon the account of this Imaginary Plot, were released. And having thus gained his Liberty, he arrested several persons, whereof some of them were Evidences against him, in an Action of *Conspiracy*, and one *Gradock* and others in an Action of *Scandalum Magnatum*; but was not able to

bring any of them to a Tryal. For the 4th of *May*, being the first day of the Term, *Cradock*, whose Tryal was expected to be brought on first, moved by his Council, that the Tryal might not be in *London* or *Middlesex*, but in some other County; upon which motion the Court ordered, That on the *Friday* following the Earl should shew cause, why it should not be tryed in another County. Accordingly his Lordship appeared in Court himself, and declared it was his desire to have it tryed by an indifferent Jury; but only desired to have it tryed that Term by a *Middlesex* Jury; asserting, That an indifferent Jury might as well be had there, as in any County in *England*. On the 12th the like motion was made in the behalf of *Graham*: whereupon his Lordship finding he could not have it tryed in *London*, and not willing it should be tryed in any other County, in regard an Address of Abhorrence against a certain Paper said to be found in his Lordships Closet, importing an Association, was preferr'd in most Counties; declared, That since he could not have the undoubted Priviledge of a Peer, to lay his Action in any County in *England*, he would remit it at present, and wait till he had a better opportunity to revive it.

After this, his Lordship continued at his house in *Aldersgate-street* until the [illegible] *November* following, and then he went over to *Holland*. The Seas were somewhat tempestuous; and some who went over in company with the same Ship, were cast away; but the Providence of God ordered That to save his life, which is often the loss of others; *viz.* an unskilful Pilot, who being not well acquainted with the Haven, and withal somewhat timerous, would not be perswaded to venture in till he had a calmer Sea. As soon as he arrived,

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and was known, he was visited by some of the States, and others of the greatest Quality, who welcomed him into that Country, and congratulated his having so happily escaped the danger of the Seas.

The Earl, not long after his arrival, took a spacious House in *Amsterdam*, where he intended to reside; he was to pay for it a yearly Rent of an hundred and fifty pounds *per annum*: but before the House was furnished and fitted for his use, his usual Distemper, the Gout, seized him, and handled him with great violence for some days, and then it began to wear away, and the Earl was indifferently recovered; but suddenly and unexpectedly returning again, and getting into his stomach, he fell into a dangerous Relapse, which proved mortal, and terminated in his Death. He discovered in the time of his Sickness abundance of patience, and an admirable temper of mind, yielding an intire submission to the Divine Will, and solacing his Soul in the Contemplation of that transcending Glory and Happiness whereinto he was passing, and wherein he should for ever remain free from the Malice of ambitious and aspiring Favorites, and secure from the fatal consequence of the poysonous and infectious Breaths of all mercenary Villains. He expired in the arms of a Reverend Divine, and will certainly prove as great and as universal a Loss as has happened to *England* in many years.

He died at *Amsterdam*, *Jan.* 21. 1682. or rather like the fairest Fruit, which being ripened by Nature, and arrived at its perfect Maturity falls of its own accord. So this Nobleman being arrived at a full Age, was with the more facility and ease shaken down by Death, and glided into the Grave, without compulsion, in the Sixty fe-

cond year of his Age. During the time of his Sickness, he was frequently visited by several Persons of Quality, and some Lords of the States; and others who did not visit him in person, sent often to see him, and enquire of his Condition: and when he was dead, many of the States and divers other Gentlemen put themselves into Mourning, and ordered that his Corps should be exempted from all Toll, Fees, and Customs in every place it should be carried thorow within their Dominions, in order to its passage to *England*. His Body was first wrapp'd in Sear-cloath, and then in Lead, all but his Head and Face, whereon he had nothing, save one of the Perrywigs he used to wear in his Life-time; and in that manner he was laid in a rich Coffin, in the Lid whereof, just over the Earl's face, was placed a Crystal-Glass, whereby every one that pleased might view his Face; which, to the admiration of all that saw it, appeared as fresh and beautiful as when he was living: nor was there any considerable alteration to be discerned therein. The Ship which transported him to *England* was hung with Mourning, and adorned with mournful Streamers and Escutcheons; and being landed at *Pool* in *Dorsetshire*' the Gentlemen of the County, to shew the extraordinary respect they had to his Lordship, and although they were not invited, yet they got together and went in a Body to meet the Corpse, and accompanied it to his ancient Seat at *Wimbourn St. Giles's*; where he was decently and honourably interred, and will have a stately Monument erected over him.

He made his Countess, Sir *William Cooper*, &c. Executors of his Will, wherein he gave very liberally to his Grandson the Lord *Ashley*, and intailed the whole Estate upon him after the death of his

Son

Son the present Earl of *Shaftsbury*. And as he had formerly been the making of several of his Servants and others, by his Liberality, so he was no less bountiful at his Death, having left very considerable Legacies to his Servants, especially those who were with him in *Holland*; besides several Gifts to pious and charitable uses.

And having thus traced this Nobleman from the Cradle through all the Labyrinths and Vicissitudes of his Life, to the Hour of his Death, and from thence to his Envied Grave; I shall conclude this Tract with his Character: a Character so extraordinary and rare, that it will certainly deserve, and therefore justly command the admiration of all men.

But I will first insert the Elegy and Character of Sir *Walter Rawleigh*, wherewith the Author of his Life concludes his History thereof.

GReat Heart! who taught thee so to die,
Death yielding thee the Victory:
Where took'st thou leave of Life? if here,
How could'st thou be so far from fear?
But sure thou diest and quit'st the state
Of Flesh and Blood before that fate;
Else what a Miracle was wrought,
To triumph both in Flesh and Thought!
I saw in every Stander by,
Pale Death, Life only in thine Eye:
The Legacy that gav'st us then,
We'll sue for, when thou diest again.
Farewel, Truth shall this Story say,
We died, Thou only livedst that day.

Thus died that Knight, who was *Spain*'s Scourge and Terrour, and *Gondamor*'s Triumph; whom the whole Nation pitied, and several Princes interceded

ceeded for; Queen *Elizabeth*'s Favourite, and her Successor's Sacrifice; a Person of so much Worth, and so great Interest, that King *James* would not execute him without an Apology; one of such incomparable Policy, that he was too hard for *Essex*, was the Envy of *Leicester*, and *Cecil*'s Rival, who grew jealous of his excellent Parts, and was afraid of being supplanted by him. His Head was wished on the Secretary's shoulders, and his Life valued by some at an higher Rate than the *Infanta* of *Spain*, though a Lady incomparably excelling in both the Gifts of Mind and Body.

Authors are perplexed under what *Topick* to place him, whether of States-man, Sea-man, Souldier, Chymist, or Chronologer; for in all these he did excel: he could make every thing he read or heard, his own; and his own he could easily improve to the greatest advantage. He seemed to be born to that onely which he went about, so dexterous was he in all his Undertakings in Court, Camp, by Sea, by Land, with Sword, and with Pen.

The Earl's person was somewhat [illegible], but very comely, God and Nature having distributed in the framing thereof an exact agreeableness, and an equal proportion to every Part and Member. But as the smallest Cabinets usually inclose the richest Jewels, so his little Body inclosed a great and vastly capacious Soul; the Virtues and Perfections whereof as far transcended the generality of the Off-spring of *Adam*, as Gold exceeds Silver, or Diamonds transcend Pebles in value. He had a courageous and undaunted Mind, a deep Judgment, and a quick and ready Apprehension. He was Religious towards God, Loyal to his Prince, True to his Country, Faithful to his Friends, Charitable

ritable to his Enemies, Liberal to the Poor, Chaft in his Affections, and made the keeping of his Solemn Contracts in Marriage, Sacred and Inviolable; and the preserving his Chaft Soul free from Pollution, a considerable part of his Religion. He was Courteous and Affable in his Carriage towards all men, Sociable and Free in his Converse; yet so wonderfully reserved as to any of his great Designes and Projects, that he never revealed his Intentions to the neareft Relations or the most intimate Friends; which made him so extraordinary useful to his Majesty in the late Times, and rendered him capable of ordering and disposing all publick Actions and Councils, so that they naturally tended towards his Restoration. 'Twas his close and reserv'd Temper that rendered the penetrating into his Sentiments and Intentions, a Work so intricate and perplexing, that the greateft diligence of the many Spies who had their Eyes constantly fixed upon, and perpetually watched and pried into his Actions, were not able to effect it; and made it a Task too hard and difficult even for *Cromwel* himself to perform. It was that which rendered those who undertook it, unable to prove him guilty of a Plot, wherein he was really engaged, and was a principal Promoter and Contriver thereof, *(viz.)* The Rising of Sir *George Booth*. And this close and reserved Temper, strongly argues his Innocency in the late Charge of Treason; for can any man in his right Senses, imagine that the Earl, who had till now been so reserved and private in all his Designes, even to near Relations, noble Personages, and familiar Friends, should all on a sudden relinquish his constant and avowed Practice, and transform himself into a perfect Changeling, by freely discovering that he designed no less than Rebelling

against

gainſt his Sovereign, the levying Men, the forming of an Army, and depoſing the King, and thereby put himſelf into the Power, and expoſe his Life and Honour to the mercy of Six or Eight needy and mercenary Fellows? That he ſhould do ſo, will appear very improbable, if we reflect upon the Temper of the Earl, and the Condition of the Men who pretended to ſuch a familiarity with him, and inſight into his Deſignes; unleſs we can ſuppoſe that the longer he lived, the more fooliſh he grew: or that the more experience he had of the endeavours of the Papiſts to effect his Ruine by fixing the Guilt of Treaſon upon him, the more careful he would be to furniſh them with Witneſſes to prove and make good their Charge. He was ſuch a Proficient in Wiſdom and Policy, that he ſeem'd like a ſecond *Solomon*; and ſo clear an underſtanding of the Myſteries both of Law and Divinity, that he could eaſily, and with great readineſs, reſolve the moſt difficult *Queries*, and diſcuſs the greateſt Myſteries and critical Niceties thereof. Which made Dr. *Ward* Biſhop of *Saliſbury*, who held an intimate Correſpondence with him, delight in his Converſe, and value his acquaintance at a high rate; and ſo did Sir *Matthew Hale*, Lord Chief Juſtice of *the Kings-bench*; and many more both Lawyers and Divines, who had the happineſs to be acquainted with him. And occaſioned his Majeſty, as it is ſaid, upon the being informed of his deciding a very difficult Caſe when he was Chancellor, to affirm, as in a Rapture, That he had a Chancellor who was Maſter of more Law than all his Judges, and was poſſeſſed of more Divinity than all his Biſhops.

Nor was he leſs ſkilled in the Myſteries of Trade and Merchandiſe, wherein he projected and accompliſhed ſeveral great things, as well for the benefit

benefit of others and the good of the Publick, as the enriching of himself.

But in nothing did he more excel, than in the steadiness and evenness of his Temper, not exulting or exalting himself upon the account of Court-preferments or Popular Applause. For having been a considerable Agent in accomplishing his Majesties Restoration, he assisted in conducting him back from his Banishment to the possession of his Crown and Kingdom. And as a Reward of his Loyalty, was highly advanced in the Opinion, and dignified with the Favour of his Soveraign: And his Temples deservedly incircled with a flourishing Coronet, by the hand of Majesty; by whom he was raised to the very top and pinacle of Honour, placed in the highest Seat of Justice, and enrich'd with a Power to distribute Judgment and Equity to the Nation: Glories enough to have dazel'd a Soul less steady than his, and swell'd it with Pride and Arrogancy; whilst he ascended the several steps to Honour, and mounted to the highest Seat of Dignity, with a becoming Gravity, and an admirable Compositedness, and Equality of Mind.

Nor did all that Sublimity and Grandeur wherewith he was inviron'd, beget any kind of Haughtiness in him, or make him treat those with Scorn and Contempt that moved in a lower Sphere. For you might have seen him when shining in the very Meridian of his Glory, and arrived at the Acme of Power and Authority, with a wonderful Humility and Condescension, stoop to receive the Complaint of the meanest Suppliant, and with an unwearied Diligence, patiently hearing the Cause of the Poorest, and do them Justice, and Relieve them when Oppressed, as soon, and with as much Pleasure, as he would the Rich and the Honourable.

But

But that which is yet more Admirable and Astonishing, he descended from the height of Glory with a perfect Unconcernedness, and laid down the Enfigns of his Grandure with a smiling Countenance, whereby he suffered an Eclipse of his Honour, without any Dimunition of his Brightness, and the divesting him of his Enfigns, deprived him not of one single Ray of his Lustre; but with the Heart of an Ancient *Roman* he dismounted the Curule without the least Disturbance or Regret, and discovered them: and in his late Imprisonments, and the Reproaches and Calumnies wherewith he hath been sufficiently loaded; a Noble Soul firmly fixed in his own Worth, and shining like the Sun with a perpetual Equality of Light, without suffering any manner of Decrease or Abatement of Lustre and Brightness: And thereby gave sufficient demonstration that he was,

PAR, SINE PARI.

Soon

Soon after the News of his DEATH owned at *London*, this following

ELEGY

Was written by an Ingenious Person, to Illustrate the Greatness of his Loss.

THe Busie Statesmen, who by Toyls unblest,
Torment themselves to give their Country rest;
Those publick great First-Movers of the State,
Who almost turn the mighty Wheels of Fate,
Roul the vast Stone like Sysyphus *in vain;*
Whilst Deaths last Call ends a whole Ages Pain.
The Graves long Rubicon *must All pass o'er,*
Whence launching Cæsars *can return no more.*
Farewel, Great Shaftsbury! *Times Sythe can (stretch*
Where Malice, Sword, and Axes ne'er could reach.
Thy Life, Great Statesman, stood in Fate so high,
That thou by nought but Heaven's own Hand couldst (die.
Yes, Heaven alone compiles thy Funeral-Urn;
Less than the Sun the Phœnix *shall not burn.*

What

What did wise Solon, *or* Lycurgus *do?*
Lycurgus *did like this, an Exile too.*
And whilst proud Belgia *thy Bones entombs,*
And triumphs at the Glory it assumes,
Belgia, *who in thy Fate has now done more*
Than all her Trumps *or* Opdams *could before.*
Belgia *has vanquisht more in thy own Grave,*
Than all the Wounds her Thunder ever gave.
Sleep then, thou Active of Mankind: Oh make
Thy last low Bed, and Deaths long Requiem take,
Thou who whilst living kept'st the World awake.
Oh, may thy Funeral-Rites walk that large round,
Till to thy Western-shore thy Loss resound;
Till Carolina *shall in Mourning stand,*
With all the Cypress *of a Widow'd Land.*
Let Fools and Knaves through their false Opticks find
Thy Spots, and be to all thy Brightness blind.
Let Envy all her monstrous Forms suggest,
And lodge the Raven in the Eagles Nest.
Let 'em rail on, and vent their hurtless Gall,
Whilst Shaftsbury's *Renown surmounts 'em all.*
From his clear Fame the dissolv'd Clouds shall throw,
And leave the Earthly Vapours all below.
Yes, Mighty Man, lay thy great Reliques down,
Thou Idol of the Crown, Friend of the Crown;
Shaftsbury *in popular Arts and Hearts so learn'd,*
As with his Weight the Scale of Nations turn'd:
To him the Kingdoms Genius bended low;
The Thrones best Friend, Romes *formidablest Foe.*
If the best Gifts which the kind Stars dispense,
The highest Prodigies of Wit and Sense,
For Immortality foundations lay;
No Greater Soul ere lodg'd in Walls of Clay.
Swiftly his restless Orb of Fire went round,
And Light and Warmth we from his Influence found.
His kindest Rays and temperate Heat
The Protestants still favour'd Climates met:

There

here his best Aspect smil'd, whilst Rome *alone*
Felt all the Fury of his Torrid Zone.
This was the Cause did such great Foes engage
With such keen Malice, and such mortal Rage.
For this so high the Roman *Vengeance boyls*
With Fires more hot than their old Smithfield-*Piles.*
But Heaven's kind Call has all their Engines crost,
Heav'n that has lodg'd thee on that safer Coast,
Whence thou lookst down, and seest thy mighty
(Hunters lost.

EPITAPH.

UNder this Sone does Sleeping lye
All that was Earth of Shaftsbury.
But Funeral Tears and weeping Eyes
Infallibility denies.
Whilst his Wish'd Death's enough to be
The Subject of a Jubilee.
A more Sworn Foe to Roman *Pride*
Not Hannibal *himself e'er Dy'd.*
For which his Deathless Fame below,
His Soul above — His Soul — Ah, no!
From Heav'n's lockt out too sure, if they
Who succeed Peter *keep the Key;*
Doom'd to Hells hottest burning Seat,
If the Popes Curse can do the Feat;
If Papal *Rage and* Roman *Spight*
For any but themselves Hell-fire can light.

FINIS.

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